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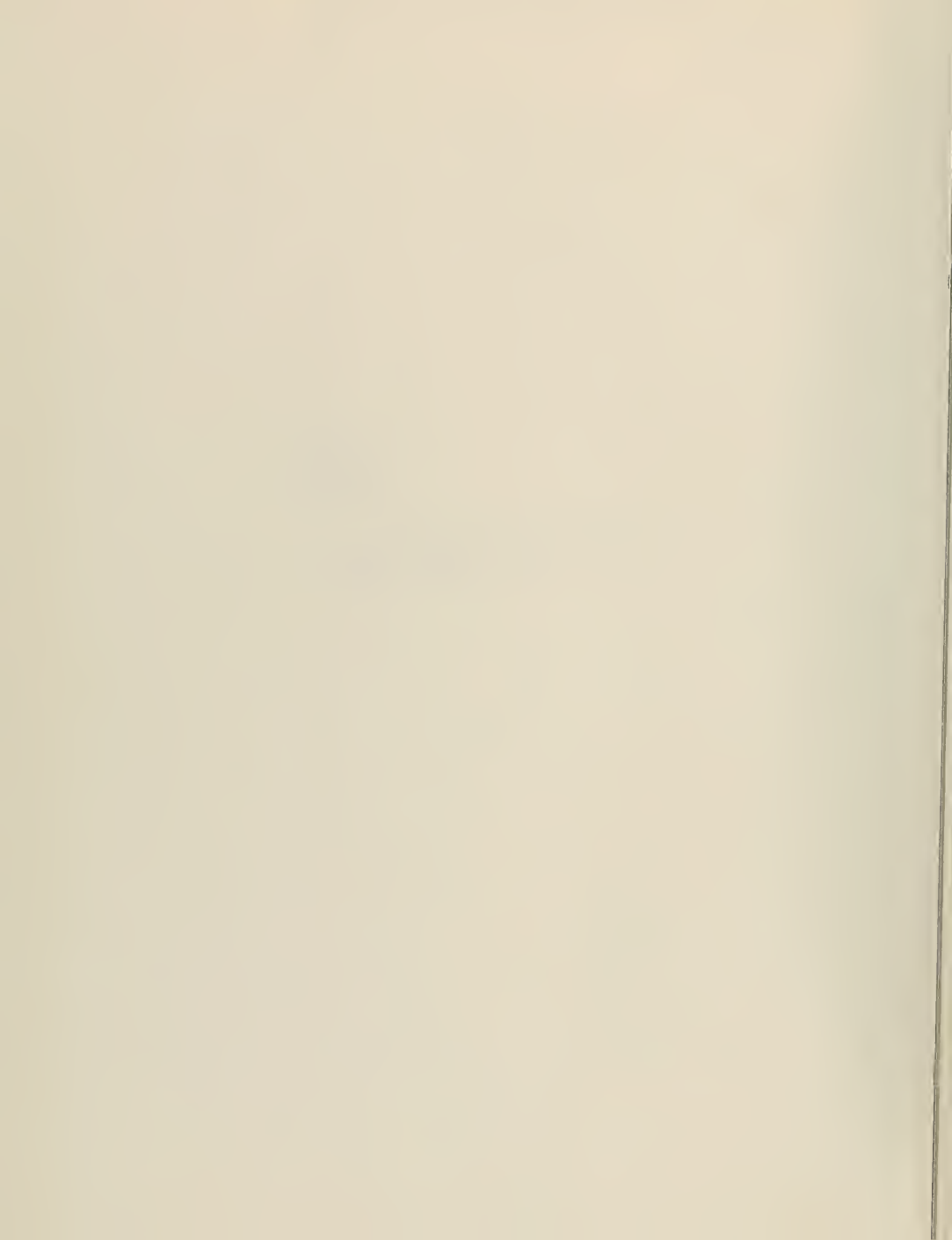
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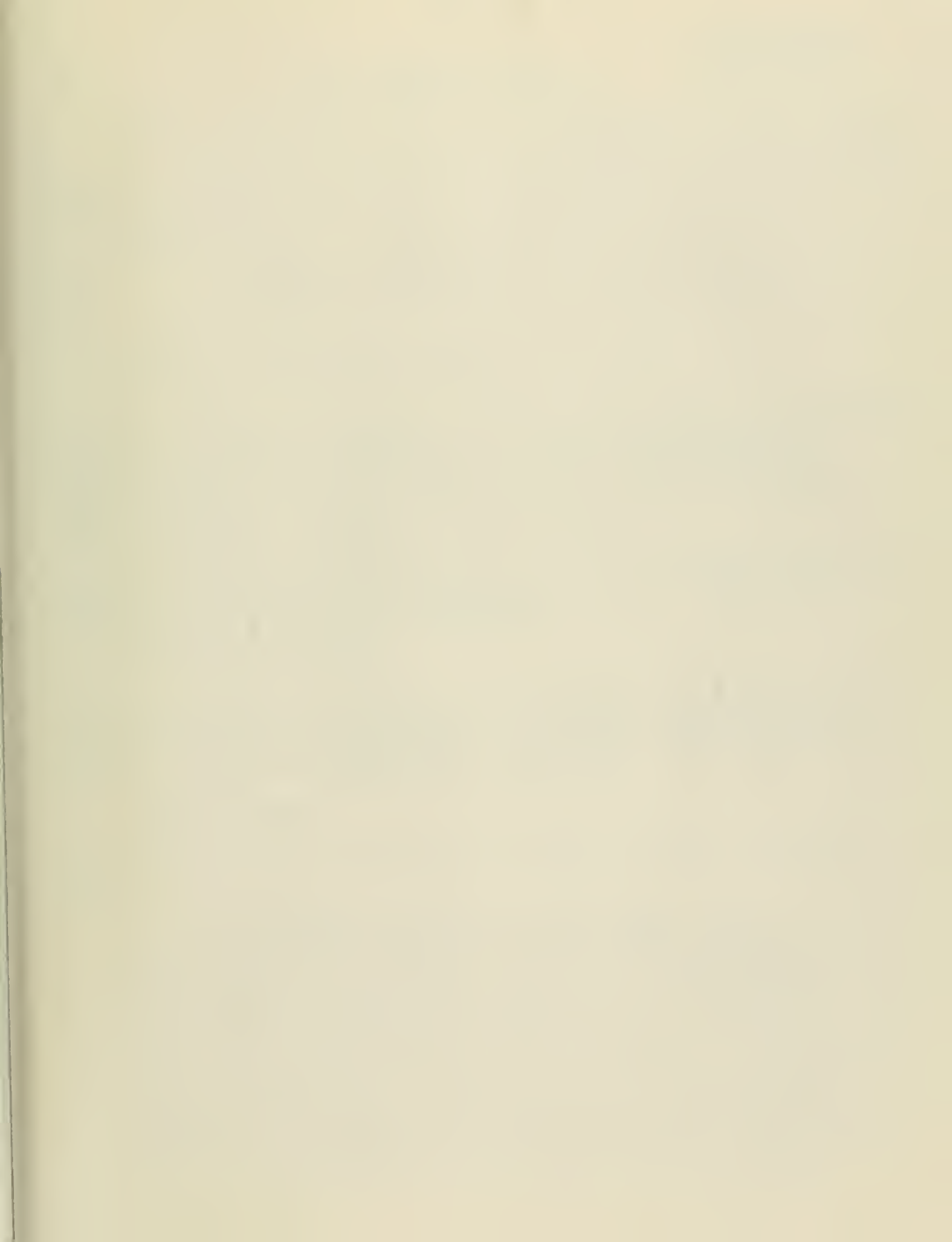


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CITY PLANNING COMMISSION

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Minutes of the Regular Meeting held Thursday, July 11, 1974.

The City Planning Commission met pursuant to notice on Thursday, July 11, 1974, at 1:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon and John Ritchie, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Richard Gamble, Planner IV; Wayne Rieke, Planner IV (Zoning); Alan Billingsley, Planner II; Marcy Lifton, Planner I; Edward Green, Planner I; and Lynn E. Pio, Secretary.

Dan Borsuk represented the San Francisco Progress and Larry Liebert represented the San Francisco Chronicle. Television Channels 2 and 4 were also represented.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meetings of May 16 and June 6, 13, 20 (Regular Meeting and 20 (Special Meeting) be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning read the following statement:

"This Monday the Board of Supervisors passed for submission to the voters a charter amendment which would amend Section 7.501 of the City Charter which is concerned with the voting by the Board of Supervisors on appeals taken from a decision of the City Planning Commission. The City Attorney has held that the pre-send charter provisions require a vote of 2/3 of all members of the Board to overrule a decision by the City Planning Commission. With the recent laws which have been enacted concerning conflict of interest, and the amendment to the Charter accepted by the voters this past Spring, a disqualification by a member of the



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JULY 11, 1974

Board because of a conflict of interest is, in fact, an automatic vote in favor of the Commission's action thereby requiring, in fact, more than 2/3 of the Board eligible to vote to overrule the Planning Commission. The amendment would require a vote of not less than 2/3 of all members excepting those disqualified or excused from voting because of an economic interest prohibited by general law or the Charter.

"For example, if two members were disqualified, instead of the present 8 members necessary to overrule the Commission, only 6 members would be required. Should only 1 member be disqualified, 7 members would be required to overrule. I would also note that in the event a quorum of the Board is disqualified or excused, the action of the Planning Commission would be deemed approved. This passed the Board on a 10-0 vote."

The Director reminded the Commission of the special meeting scheduled next Wednesday, July 17, at 3:00 p.m. when the Community Safety Plan for the Comprehensive Plan of San Francisco, A Proposal for Citizen Review, will be presented.

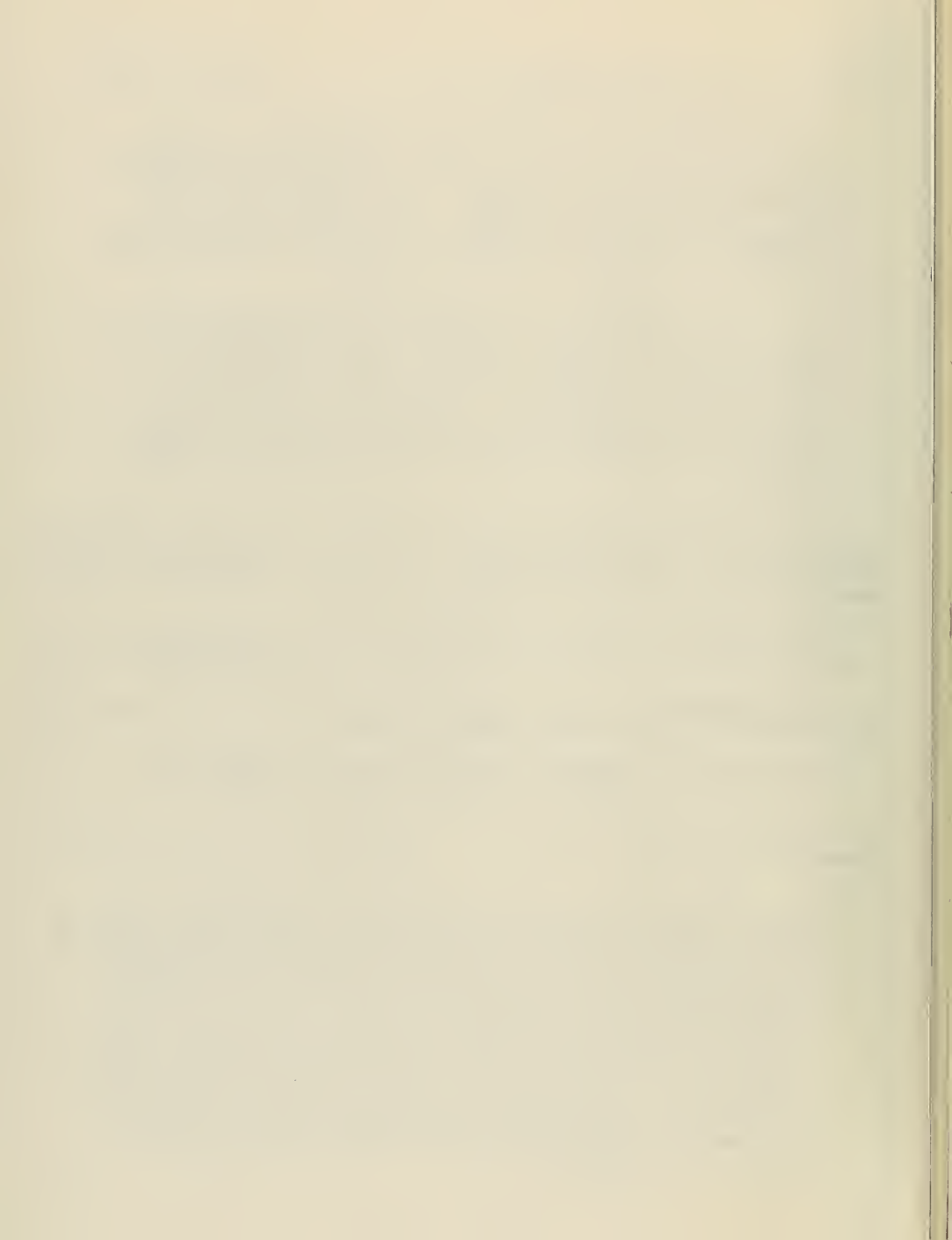
The Director informed the members of the Neighborhood Plans Committee that next Thursday's meeting will be cancelled.

The Director advised the Commission that he will be on vacation during the last three weeks of August.

RI18.74.10 - TENTATIVE SUBDIVISION MAP, MONETA WAY,
ALEMANY BOULEVARD, NAGLEE AVENUE.

Richard Gamble, Planner IV, reported on this matter as follows:

"The proposed subdivision is the easterly end of Block 7096A, bounded by Alemany Blvd., Naglee Ave., Huron Avenue and Moneta Way. The subdivision was the subject of variance 74.19 for lot width and area requirements. Thirty-three feet of width and 2640 sq. ft. of area are required where new streets are built. A variance was granted to these requirements for the lots on the new cul-de-sac recognizing that the dominant pattern in the neighborhood is 25 x 100 ft. lots and variations thereon. Similarly, a variance was granted to permit one lot of 1875 sq. ft. on Naglee; all the others, which are of the same dimension, are legal because they are within 125 ft. of a corner.



JULY 11, 1974

"The variance was approved with conditions which called for pairing garages, etc., to maximize curb space for street parking, front yard setbacks and landscaping and street trees. Site plans, landscaping and building plans would be reviewed and approved by department staff prior to construction. It is recommended these same conditions be applied to the approval of the subdivision map.

"Another consideration is the treatment of Alemany Boulevard. As on the rest of Moneta Way, houses should back to Alemany and should not have vehicular access to the street."

Allan B. Jacobs, Director of Planning recommended that the tentative subdivision map be approved subject to the following provisions:

"1. The final plans for the subdivision be in general conformity with the preliminary subdivision plan marked 'Exhibit A' and include paired garages and any other design solutions which will maximize the number of on-street parking spaces, suitable front set-backs, front yard landscaping and street trees.

"2. That the applicant shall submit site plans, landscaping plans and building plans and elevations to the Department of City Planning and obtain approval of those plans prior to filing for any permits for construction at the subdivision.

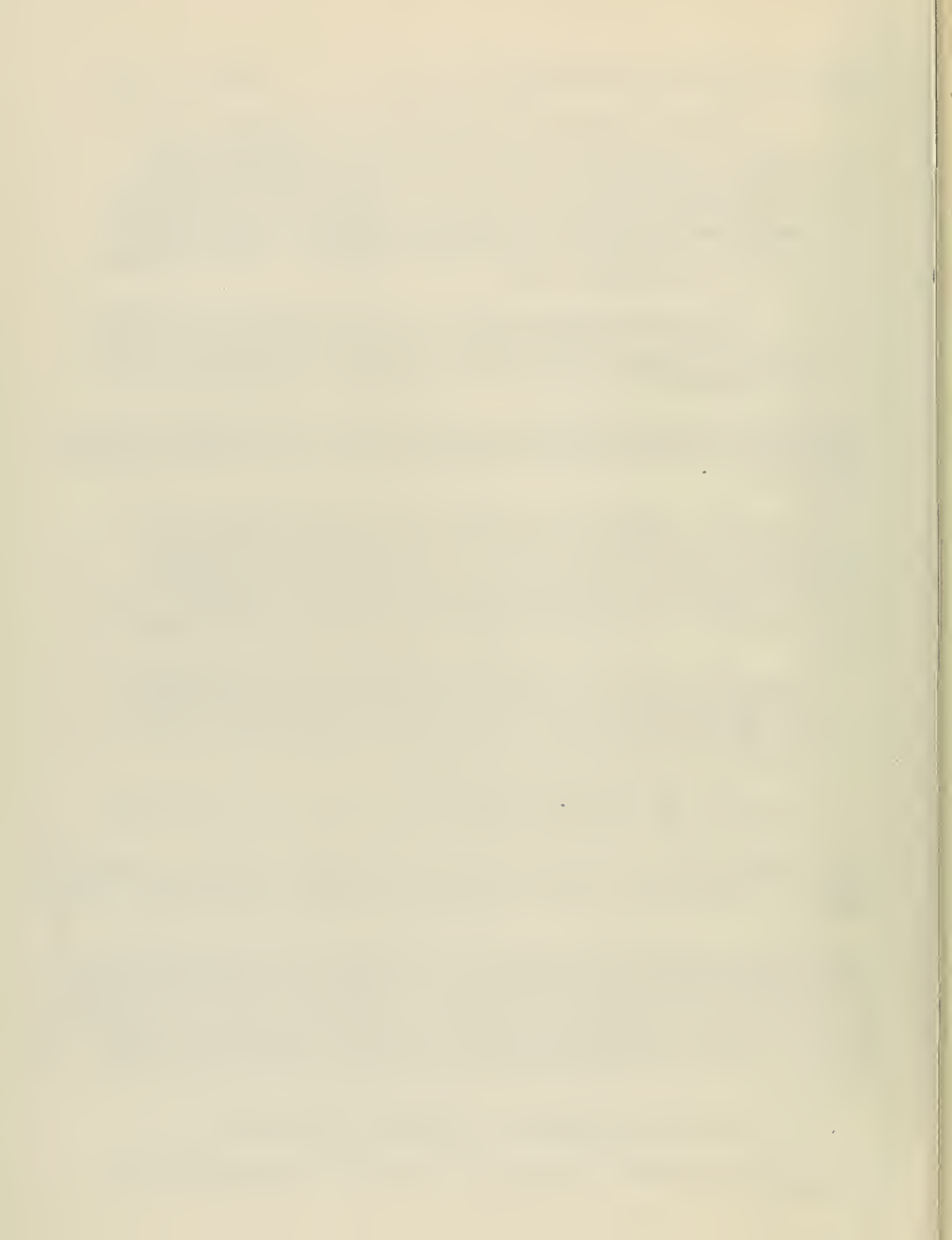
"3. That houses shall not front on or have vehicular access from Alemany Blvd."

A representative of the applicant stated that the recommendation of the staff of the Department of City Planning was acceptable.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Farrell, and carried unanimously that the Director be authorized to report that the tentative map for a portion of Block 7069A, prepared by Stanley Reinfeld and dated April 12, 1974, is approved as in conformity with the Master Plan subject to the provisions which had been recommended by the Director.

R74.33 - SWIG PAVILION, 5TH STREET EXTENSION.

Richard Gamble, Planner IV, reported on this matter as follows:



JULY 11, 1974

"The children of Benjamin Swig wish to honor their father's 80th birthday with a gift to the City. With the assistance of Mayor Alioto they have formulated a gift proposal, to complete the construction of the undeveloped space under the Fifth Street overpass in Hallidie Plaza. The anticipated cost to finish off this 4800 square-foot space is in excess of \$100,000.

"Conditions of this one-time gift include that the completed edifice 'will be in perpetual honor and will bear the name of BENJAMIN H. SWIG PAVILION,' the architect will be selected by the donors, and the design will be similar to the sketch drawing by Mario J. Ciampi which provides for a large open reception and display area, a visitor's lounge, kitchenette and toilet facilities and storage and office space. The pavilion will be used 'to provide information to the public and serve as an official visitors' center for the City and County of San Francisco for as long as the need for such service at this location is in the best interests of the City. Appropriate portions of this space may be leased at the City's discretion, to house public purpose activities.'

"The prime occupant of the pavilion is to be the Mayor's Director of Public Service and his staff. Under the terms of the gift quoted above, other occupants could be leased space in the facility.

"The San Francisco Convention and Visitors' Bureau would seem to be a most logical candidate to share the pavilion. The need for a visitor information service in the heart of the downtown area is obvious. The Bureau had been planning to build a kiosk on the floor of the plaza, something similar to the flower stand at the Bank of America Plaza, however, they have had second thoughts about the adequacy of an open facility because of the noise level in the vicinity. The Director of the Bureau, Mr. Sullivan, indicates they would be very interested in utilizing space within the pavilion, however, there has been no discussion yet with the Mayor's office.

"The Master Plan does not address itself to the question of whether this space should be used for public or commercial purposes, or whether it should generate revenue for the City. It is the Department's opinion that public use should receive priority as long as it does exist."

Allan B. Jacobs, Director of Planning, recommended that he be authorized to report that the proposed project does not affect the Master Plan. He further recommended that the Convention and Visitors' Bureau be invited to participate in utilizing and planning the layout of the space.

General Larsen, representing Mayor Alioto's office, advised the Commission that the proposed project had been co-ordinated with all city departments which would be involved; and he felt that the project provided the city with a wonderful opportunity. While the gift had not included furniture for the pavilion, the Swig children had stated informally that they would also provide furniture for the space.

No one was present to speak in opposition to the proposal.

Commissioner Fleishhacker moved that the Director be authorized to report that the project does not affect the Master Plan and to recommend that the Convention and Visitors' Bureau be invited to participate in utilizing and planning the layout of the space. Since the words "does not affect the Master Plan" tended to sound rather bland, he felt that the Commission should also express its feeling that the new pavilion would be a welcome addition to the city. The motion was seconded by Commissioner Rueda. When the question was called, the Commission voted unanimously to authorize the Director to report that acceptance of the gift of the Benjamin H. Swig Pavilion does not affect the Master Plan.

LM74.5 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE
GOODMAN BUILDING, 1117 GEARY STREET, AS A
LANDMARK.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter as follows:

"In 1869, Joseph Emeric constructed four two-story residences separated by party walls, on the south side of Geary, between Franklin and Van Ness. Those residences became the second and third floors of the Goodman Building as it is known today.

"Emeric was born in France in 1815; he came to the United States in 1836 and to California in 1849. He first engaged in business ventures in the mining regions and these proved unsuccessful. In 1850 he returned to the Bay area where he eventually amassed a personal fortune in excess of \$1,000,000 at the time of his death in 1889. He had one son, Henry, who represented Contra Costa County in the

state assembly.

"After Henry's death in 1899, the property was purchased by Abraham and Sarah Goodman; Mr. Goodman was a ladies tailor by profession.

"The structure escaped damage in the 1906 earthquake and fire, and in June 1906, Mr. Goddman applied for a building application to raise the building one story and to construct five stores in this space. The upper residential quarters were converted into offices and hotel rooms. It will be recalled that the loss of the Downtown area in 1906 resulted in many businesses seeking temporary quarters in both the Van Ness and Fillmore areas.

"From photographs, it is known that there was subsequent major remodeling following that of 1906. A photograph taken in 1903 (of a parade on Van Ness Avenue welcoming Theodore Roosevelt) also quite clearly shows a portion of the then second, but now third, floor of the building. The building facade is set back some few feet from the street frontage, and the portion shown appears identical with the third floor architectural treatment now existing - except for a low parapet later removed.

"A photograph taken subsequent to the installation of the stores indicated that bay windows remained at the new second floor level. These bay windows also appeared on the 1906 remodeling plans. The photograph shows the upper facade still set back from the street frontage below.

"Thus, following the 1906 remodeling, a subsequent one saw the bay windows removed (which may account for the immense size of some second floor windows) and the facade brought forward. It is probable that the fourth floor Mansard roof was added at this time although no positive evidence is available regarding this. However, the post-1906 remodeling photo shows a small ornate rectangular bay at second floor level whose front consists of a stained glass window featuring an oval-shaped motif. This window, or one from a similar bay, can be seen in the interior photo of the fourth floor studio.

"Summarizing the Advisory Board's considerations for recommending designation, there are four main points:

- "1) the age of half the building is 105 years during which time it has been used continuously,
- "2) the structure's association with the Emeric family,
- "3) the 1906 remodeling to meet the immediate post-earthquake and fire needs of the city, and
- "4) the appearance of the third floor facade as unchanged from the original in that it has all the characteristics of the architectural styling for the late 1860's and early 1870's. Additionally, it appears that original details from the bays of the second floor were re-used in the post-1906 remodeling. In the close-up photo of the arched second floor windows, the letter "E", presumably for Emeric, appears in the detailing.

"In June 1973, the Advisory Board was asked by the residents of the building to consider initiation of designation. After listening to initial testimony, the Board advised the group that it was of the opinion that the building did not warrant further consideration, nevertheless, if additional substantive information were submitted, it would reconsider its decision. This information was forthcoming and the staff was instructed to proceed with its research.

"On April 3, 1974, the matter was heard by the Advisory Board with lengthy testimony given; the matter was carried over until April 17, May 1 and finally at a special meeting of May 8, 1974, the Advisory Board adopted Resolution No. 107 recommending designation. The vote on this resolution was six "ayes"; one "Noe" and one member absent.

"A public hearing before this Commission was originally scheduled for June 6, 1974 but was postponed at the request of the Goodman Group."

During the course of Mr. Steele's presentation, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

John Campbell, representing the Goodman Group, felt that Mr. Steele had adequately covered the historic aspects of the subject building. Therefore, he intended to concentrate on the role which the building plays in providing housing for artists. He stated that the Goodman Group has plans for introducing new dynamic activities

on the ground floor of the building. At the same time, they were keenly aware that one of the big problems which they face is the one of financing; and one of the reasons that they were anxious to have the building designated as a Landmark was to obtain one additional year to put their financing package together. He noted that copies of a letter from Senator Allan Cranston had been placed before each member of the Commission; and he pointed out that the letter raised the hope that Federal funds could be obtained for rehabilitation of the Goodman Building insofar as residential art centers have already been funded in New York and Los Angeles. Mr. Campbell also informed the Commission that a number of civic organizations had supported their proposal to have the building designated as a Landmark. He felt that the things which can happen in the Goodman Building would have a vital effect on the cultural life of the city; and he believed that retention of the Goodman Building would be more worthwhile than using the property for construction of another office building.

Commissioner Porter stated that she had sat through meetings of the Landmarks Preservation Advisory Board when the Goodman Building was being discussed; and she indicated that she was disturbed by the fact that more emphasis had been placed on the Goodman Building's role in providing housing for artists than on the building's historic or architectural qualities. Personally, she felt that it was questionable whether landmark designation should be used to perpetuate temporary housing.

Mr. Campbell felt that the fact that the building is used for artists housing deserves as much consideration as the building's historic and architectural merit; and he remarked that use of the building for artists housing and as a cultural center in no way demeans its value as a landmark.

President Newman asked if the Goodman Group intends to purchase the Goodman Building.

Kim Clark, Attorney for the Goodman Group, replied that his clients, who love the building, have been trying to hold out against the Redevelopment Agency. He stated that they had been working with the Redevelopment Agency and with Mr. Goodman, the previous owner of the building; and he believed that funds could be obtained from public, private and semi-public sources to purchase and renovate the building. He remarked, however, that the economic feasibility of that project was not as significant at today's meeting as the question of the Commission's decision on the proposal to designate the building as a Landmark.

President Newman asked how long it might take for the Goodman Group to purchase and remodel the building. Mr. Clark replied that a design group had been working on the project for 8 or 9 months; and he indicated that working drawings have almost been completed.

Commissioner Farrell noting that demolition of the building could be delayed for up to one year if the building were to be designated as a Landmark, asked how much of the funds needed for purchase of the building have been collected. Mr. Clark replied that he did not know the answer to that question. However, he felt that an expenditure of \$350,000 would be justified; and he believed that that amount could be obtained. The unknown factor is how much it would cost to bring the building up to redevelopment standards.

Commissioner Porter stated that she had understood that the Redevelopment Agency had a commitment for a development on the subject property and that the Agency would therefore not be willing to sell the property to the Goodman Group. If that were the case, the only thing which could be achieved through designation of the building as a Landmark would be to delay its demolition for up to one year.

Mr. Clark stated that Mr. Rumsey, Executive Director of the Redevelopment Agency, had indicated that he would consider sale of the property to the Goodman Group if it could put together a package aimed at bringing the building up to the rehabilitation standards of the Redevelopment Agency; and, as a result, he felt that a good opportunity existed for them to obtain the building. He also remarked that the Redevelopment Agency had not yet been successful in finding suitable relocation facilities for the people living in the building.

Robert L. Rumsey, Executive Director of the Redevelopment Agency, advised the Commission that he had met with the Goodman Group and had told them that the Agency has no immediate need to relocate the tenants of the building or to demolish the building. Furthermore, if they were able to come up with a feasible package for purchase and rehabilitation of the building to Redevelopment Agency standards, he would be prepared to give their proposal a "good hard look". He stated that the Agency had made an offering of the property for a high-rise office building. However, no progress had been made on that project; and, while the offer was still outstanding, he did not believe that people would be encouraged to proceed with development of plans given the present mortgage market.

JULY 11, 1974

President Newman asked if the Redevelopment Agency would be willing to give assurances to the Goodman Group that the building would not be demolished for one year. Mr. Rumsey replied in the negative. While he doubted that the Agency would enter into an active program of relocation from the building until early next year, he indicated that he would like to be in a position of being able to proceed if the situation should change in the interim. He explained that the Redevelopment Agency presently has a very limited staff; and he indicated that their relocation people are presently engaged in higher priority areas where new building construction is imminent. New construction on the subject property is not imminent; and it would probably take at least a year to put a project together. However, if he should have no place else to utilize his relocation staff, he would want to assign them to the Goodman Building.

Commissioner Porter stated that she would regard the Redevelopment Agency's position as being very "comme ci, comme ça" if she were a member of the Goodman Group. For the purpose of obtaining a more definite response as to the Agency's position, she asked if Mr. Rumsey felt that it would be prejudicial to the Agency if the Commission were to designate the Goodman Building as a Landmark. Mr. Rumsey replied that holding of the demolition permit for a period of six months would not be an inconvenience for the Agency; however, he could not presently agree to a delay beyond that point in time.

Members of the Goodman Group then presented a video tape which depicted activities in which the Goodman Group is engaged; however, the presentation was interrupted before it was completed because of technical difficulties.

When President Newman asked for a show of hands of those present in the audience in support of the proposal to designate the Goodman Building as a Landmark, approximately 30 people responded.

Kenneth Hunter, representing San Francisco Tomorrow, stated that the Board of Directors of his organization had heard a presentation by the Goodman Group and had unanimously endorsed the group's petition for designation of the Goodman Building as a Landmark. He believed that the building is interesting architecturally; and the history of the building is unique and on-going in that the artists themselves are a part of the history of the building. He also remarked that it would probably be helpful for the Goodman Group to refer to the fact that the building had been designated as a Landmark when they are seeking Federal funds for saving the building.

JULY 11, 1974

Pat Carey, one of the tenants of the Goodman Building, advised the Commission that one of the reasons that the Goodman Group wished to open a gallery on the ground floor of the building is that San Francisco needs a gallery where paintings by artists which are not particularly salable may be exhibited. She stated that most of the existing galleries charge high fees for displaying such works.

Martha Senger, a member of the Goodman Group, stated that she was disturbed by the false impression which had been created to the effect that landmarks designation was being sought as a means to the end of getting money for saving the building. She stated that she had no doubt whatsoever about the landmark quality of the building; and she believed that it should be designated as a Landmark even if it were not occupied by the Goodman Group.

No one was present to speak in opposition to the proposal to designate the building as a Landmark.

Allan B. Jacobs, Director of Planning, gave his recommendation on this matter as follows:

"Testimony by advocates of designation and friends of the Goodman Group has been lengthy and in depth before the Landmarks Board today. I find letters submitted in support of designation rarely speak to the issue of why building should be designated. Departmental staff assigned to work with the Landmarks Board has also spent considerable time in investigation and from fragmented information presented has been able to reconstruct a plausible, if not totally complete, history of building.

"However, Article 10 provides guidelines for selection of structures to be designated. Briefly, Section 1001 requires that they be structures of special character or special historical, architectural or aesthetic interest.

"Regarding special character of building, I am sympathetic to its present use as providing it with special character; that is, occupancy by artists with a wide variety of interests; but this is a purely circumstantial situation of relatively recent times and there is no assurance that this will continue.

"Regarding historical interest or value, I do not find the builders, the Emerics, or any extraordinary interest or importance in local, state or national history.

JULY 11, 1974

And although approximately one-half of the building is 105 years old, only the third floor, one-quarter of the facade, bears any visual reminder of this, and that is lost in the remaining disjointed three-quarters of the facade.

"Regarding architectural or aesthetic interest, my previous comment also applies. In addition, even if I did not know it had undergone two major remodelings, I would have to conclude that the facade has no architectural cohesiveness or integrity. Therefore, in light of evidence presented, I cannot support designation of this building as a Landmark and recommend disapproval of this proposal."

Mr. Campbell stated that he was appalled by the comments which had been made by the Director of Planning. He remarked that six members of the Landmarks Preservation Advisory Board, who are involved in architectural and historical pursuits, had voted to recommend designation of the building as a Landmark. Furthermore, he himself had been an architect for 25 years and had been involved in historical work for 15 years; and he indicated that he totally disagreed with the Director's recommendation and the reasons which he had given for that recommendation.

Mrs. Senger felt that it would be unfair for the Commission to take action on the matter before having an opportunity to see the video tape in its entirety.

Commissioner Porter stated that she would have protested the interruption of the video tape if the presentation had been intelligible.

Charles Turner stated that architectural plans were being prepared for remodeling the building and restoring it to its original character. Once that work is completed, he felt that the Director would have no grounds for objecting to designation of the building as a Landmark.

Mr. Clark stated that he had great respect for Mr. Jacobs' qualities as a planner. However, he remarked that history and architecture are very subjective fields; and he believed that Mr. Jacobs was not a great deal more qualified to comment on those subjects than others. He noted that a number of letters had been received from people involved in historical work in support of the proposal to designate the building as a Landmark.

Mervyn Goodman stated that the subject building had been owned by his family for more than 75 years. He indicated that a developer had been designated for the site by the Redevelopment Agency in 1970; and a lot of litigation had followed that action. If the developer does not obtain the property, no liability would be assumed by the Redevelopment Agency; and, for that reason, it was his opinion that there was no imminent need for the Redevelopment Agency to possess the property or to demolish the building.

Pat Carey, noting that the Director had stated that the Emeric family were of no importance in local, state, or national history, advised the Commission that Joseph Emeric is mentioned in books by Bancroft, being ranked with Charles Crocker in terms of importance.

Commissioner Porter remarked that the President of the Landmarks Preservation Advisory Board had strongly disagreed with the Board's recommendation that the building be designated as a Landmark; and, while she was not prepared to state which side was right or wrong, she felt that it was important to recognize that there can be a difference of opinion on such matters.

A member of the audience stated that nothing of the past will remain in the future if the Commission should refuse to designate structures such as the Goodman Building as Landmarks.

Elisabeth De Losada, a member of the Landmarks Preservation Advisory Board, stated that she had voted for designation of the building as a Landmark along with Albert Shumate, who is a noted historian, and four other members of the Board. All of them had felt that the historical and architectural significance of the building warranted its designation as a Landmark.

Mr. Campbell stated that the architect of the Goodman Building, while not of the stature of Willis Polk, was nonetheless a good architect who designed buildings throughout the city. Furthermore, he felt that the six to one vote of the Landmarks Preservation Advisory Board should mean something to the members of the City Planning Commission.

Commissioner Rueda stated that he had usually followed the lead of the Landmarks Preservation Advisory Board in voting on landmark matters. However, in the present instance, most of the testimony had related to the present use of the building and the need for artists housing; and very little had been said about the architectural or historical significance of the building.

Commissioner Fleishhacker moved that the proposal to designate the building as a Landmark be disapproved. He stated that the members of the Commission had read the transcript of the testimony which had been presented before the Landmarks Preservation Advisory Board; and he observed that Commissioner Porter had attended those meetings. While it was true that President Newman had requested that only new testimony be presented to the City Planning Commission, a thorough reading of the transcripts which were available had not led him to believe that the building has any outstanding architectural or historical significance.

The motion was seconded by Commissioner Rueda.

Commissioner Porter felt that the major issue was one of housing for artists; and, in that regard, she noted that Mr. Rumsey of the Redevelopment Agency had given his word that the Goodman Group would have at least six months to try to raise funds to purchase the building before any action is taken by the Redevelopment Agency to demolish the building.

President Newman stated that he intended to vote against the motion because of the special character of the building and the group of artists which lives in it.

When the question was called the Commission voted 4-1 to adopt Resolution No. 7209 and to disapprove the proposal to designate the Goodman Building as a Landmark.

LM174.6 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE
TRINITY EPISCOPAL CHURCH, 1668 BUSH STREET,
AS A LANDMARK.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), summarized the historical and architectural attributes of the subject building which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a Landmark. He stated that a representative of the vestry of the church had appeared before the Landmarks Preservation Advisory Board to speak in opposition to the proposed designation.

George H. Cabaniss, Jr., Director of the California Heritage Council, felt that the Trinity Episcopal Church building qualifies for designation as a Landmark both historically and aesthetically. He indicated that historic marriages and funerals have been held in the parish; and he remarked that Arthur Page Brown, the building's architect, had also designed the Ferry Building and many other notable buildings in San Francisco.

Rev. Hugh Weaver, Rector of Trinity Church, stated that the vestry of the church was aware that the building is a Landmark; and he indicated that they are doing everything possible to maintain the building in good condition. Their opposition to the proposal to designate the building as a landmark was based on advice of counsel because it was not clear what obligations might devolve on the church if the building were to be designated as a Landmark. He was pleased to report that the financial situation of the church had improved considerably recently; and, while the church had not sought Landmark designation and was not anxious to receive such designation, the church was pleased at the consideration which it had been given. In reply to questions raised by Commissioner Fleishhacker as to the reasons for the church's opposition to the proposal to designate the building as a Landmark, Rev. Weaver stated that the legal opinion which had been given to the church was that it would be advantageous not to have the building designated as a Landmark since such designation might "encumber the building by preventing it from being torn down." In reply to a further question raised by Commissioner Fleishhacker, he stated that the church has no plans to demolish the building.

Commissioner Fleishhacker then stated that he would not want the church to suffer a hardship; but he was surprised that the church felt that Landmark designation would hinder its work.

Rev. Weaver stated that there had once been talk of demolishing a small chapel to provide space for a parking lot. However, the church has no such plan at the present time; and he hoped that it would not arise again in the future.

Allan B. Jacobs, Director of Planning, recommended approval of the proposal to designate the building as a Landmark.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the proposal to designate the building as a Landmark be approved.

At 2:40p.m. President Newman announced a 5-minute recess. The Commission reconvened at 2:55 p.m. and proceeded with hearing of the remainder of the agenda.

PUBLIC HEARING ON PROPOSAL TO REVISE DEPARTMENTAL FEE STRUCTURE.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter as follows:

"As previously indicated to the Commission, there has been considerable concern with respect to the fees levied by this Department for various types of cases. This matter was studied by the staff and a recommendation was made in my memorandum to you. I should note that while these particular fees are not intended to defray the full costs of processing these applications, as they are considered general governmental costs, these fees do help to cover operation expenses. I would note further that while it would not be appropriate to set fees which would deter citizens from filing reasonable requests, it would seem that filing fees should be sufficiently high so as to discourage frivolous requests.

"To review the recommendation, all fees would be doubled. For example: for zoning reclassifications or conditional uses where the present fee is \$50, the proposed fee would be \$100. The same would be true for set back ordinances and variances. Where the present fee is \$25, such as variances, where the variance is less than 10%, or for Landmarks designation which is seldom used, both of these fees would go to \$50.

"This recommendation is made in view of the general increase in all of our costs and further in recognition of the fact that no changes have been made in the fee structure since 1960, some 14 years ago."

President Newman asked how much additional revenue the new fees would generate annually. Mr. Steele estimated that the new fees would result in an annual increase of approximately \$5,000; however, in view of the fact that the Department's case load is growing, the amount of increase may be greater.

Arden Danekas, President of the Planning Area for the Richmond, spoke on behalf of a number of neighborhood organizations, most of which have no staff and little money. He remarked that even the proposed fees of \$100 would not come close to covering the cost of "down zoning" applications; and, in view of the fact that neighborhood organizations have to spend \$140 each year to buy copies of the Assessor's tape to provide the Department of City Planning with 300-foot radius address lists, he felt that neighborhood groups should be exempted from the filing fee. In other cases, he felt that the filing fee should be based on the actual cost of the project involved. He stated that he had written a letter to the Director of Planning in June, 1973, offering those suggestions; but he had received no response.

JULY 11, 1974

Allan B. Jacobs, Director of Planning, recommended approval of the revised fee structure. He felt that it would not be possible to exempt neighborhood organizations from the filing fees since neighborhood organizations change quite often; and, if such an exemption were to be enacted, he believed that the staff would have to spend an enormous amount of time determining which groups are bonafide. He noted, however, that neighborhood groups can always request that zoning reclassifications be initiated by the City Planning Commission itself; and, when such request are granted, they would spare themselves the filing fee.

Commissioner Porter agreed with the Director that it would be difficult to identify a bonafide neighborhood group; and, in any case, it seemed to her that even the revised fees would be quite low and that they would not be commensurate with the work involved.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7211 be adopted and that it be recommended to the Board of Supervisors that the City Planning Code be amended to double the fees currently required by Sections 306.1 and 1012.

**LM74.7 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE
CITY OF PARIS BUILDING, SOUTHEAST CORNER OF
GEARY AND STOCKTON STREETS AS A LANDMARK.**

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter as follows:

"The original City of Paris was a ship, from which the Verdier brothers, disposed of their cargo which they brought from France in 1850 with the purpose of setting up a store. The subject building was either the fifth or sixth location of the store during its 122 years of existence, not including the three year temporary location in the Hobart Mansion at Van Ness and Washington following the 1906 earthquake and fire. The store operated in the subject building from 1896 to 1972.

"Throughout its history, various parties other than the Verdier family were also involved in the ownership and operation of the store, but it was the Verdier family, prominent members of the French community in the City, who gave the establishment its primary leadership.

"In its move to this location in 1896, the store occupied only the first two floors of the building; the upper floors were occupied by the Spring Valley Water Company who owned the building. The building suffered serious internal structural damage in 1906 caused by the collapse of a column - it is not known whether the

JULY 11, 1974

collapse was caused by the earthquake, the fire or dynamiting, however, the street facades stood and appear today essentially as constructed in 1896. The basic reconstruction of the structure was undertaken by J.R. Miller, Architect. For the interior, however, the City of Paris commissioned Bakewell & Brown, who were local architects but had graduated from the School of Beaux Arts in Paris in 1901. They also collaborated shortly thereafter in the design of the new San Francisco City Hall.

"Following the reconstruction, the City of Paris was to occupy the entire building, for this the rotunda was enlarged and extended upward through the fourth floor where it was enclosed with a skylight of art glass designed by Harry Wile Hopps and executed in the studios of United Art Glass, the same firm responsible for the glass work in the Garden Court of the Palace Hotel, Bardelli's and the Hibernia Bank.

"No history of the City of Paris would be complete without mention of the installation of the Christmas Tree at each yuletide. The rotunda provided the setting, and the tree stretched into the upper reaches. For many Bay Area residents no Christmas season was quite complete without having viewed "The Tree."

"Background material on initiation - Board of Supervisors letter 1/11/74 - sent to Landmarks Preservation Advisory Board. After study, designation as a landmark was initiated by the Advisory Board in Resolution No. 109 on June 5, 1974.

"The vote on this resolution was four "ayes", two "noes" and two absent.

"The Commission has received transcripts of the testimony given that day as well as copies of report on the structural investigation conducted by Mr. William Kaplan of Sexton, Fitzgerald & Kaplan, Engineers.

"Prior to the June 5 meeting, the Landmark Advisory Board had received petitions with approximately 2,500 signatures supporting designation, another 10,000 signatures (according to the petitioners) were submitted at that meeting. Additionally, individual letters and cards were submitted.

"Ownership of the property: The property is owned by Carter/Hawley/Hale, formerly Broadway/Hale. It is leased to City of Paris/Liberty House, a division of AMFAC. The lease on the property will expire late this year, permitting AMFAC to move their operation into the new building they are erecting adjacent to the City of Paris Building by Christmas, 1974."

President Newman called attention to a letter which had just been received from Dianne Feinstein, President of the Board of Supervisors, which ended with the following statement: "Today, the Planning Commission's favorable consideration of this matter and recommendation to the Planning and Development Committee of the Board of Supervisors, will complete yet another essential step in the process of obtaining all pertinent facts for public scrutiny."

Commissioner Porter remarked that the Board of Supervisors ultimately has the authority to uphold or to overrule the decision of the City Planning Commission; and, under the circumstances, the Board would have ample opportunity to consider the matter in due time.

President Newman stated that members of the Commission had read transcripts of the hearings which had been held by the Landmarks Preservation Advisory Board on this matter; and, as a result, they were aware of most of the issues. Therefore, he hoped that individuals wishing to address the Commission on this matter would limit themselves to the presentation of new evidence.

Francis L. Whisler, former Vice-President of the Landmarks Preservation Advisory Board, advised the Commission that his board had engaged in a great deal of discussion on this matter. He stated that all of the members of the Board were anxious to encourage Neiman-Marcus to open up a new store on Union Square; and they had a great deal of sympathy with the architects who had been hired by that firm. Furthermore, he had personally recommended the structural engineer who had prepared a report for the owners of the building. He felt that there was no way to look at the subject building without looking at Union Square as a whole; and he observed that if the City of Paris Building and the Fitzhugh Building were to be torn down, only the St. Francis Hotel and one other building would remain to reflect the architectural heritage of the area.

Commissioner Rueda asked why the Landmarks Preservation Advisory Board had waited so long to recommend designation of the building as a Landmark. Mr. Whisler replied that the Landmarks Board has a backlog of work because of a lack of staff; and he anticipated

that other cases will arise in the future where landmarks designation is not recommended until a building is threatened.

Earl Moss, representing the Victorian Alliance, submitted petitions containing 8,000 additional signatures in support of the proposal to designate the building as a Landmark; and he indicated that the additional petitions brought the total number of signatures to 22,000. He regarded those signatures as 22,000 reasons why the building must be saved. He advised the Commission that many shoppers come to Union Square because of the attractiveness of buildings in the area; and, if the City of Paris building were to be demolished and replaced by a modern structure, that building would be of the same character as buildings found in suburban shopping centers. Therefore, he believed that the very existence of the building attracts shoppers to the area. While much comment had been made of the Christmas tree which has been on display in the store annually, he personally regarded the Christmas tree merely as a token symbol of the year-around attractiveness and lure of the building. As stated in the slogan for Marshall Field Department Store in Chicago, "there is nothing like it back home". He believed that the building must be saved.

John Johnson stated that he was concerned both about the total physical environment of the city and the economic environment of the city. While the firm of Neiman-Marcus had insisted that a new building would be necessary for effective merchandising, he was of the opinion that the reputations of good stores have not been built by new buildings but by men who have been expert in the field of merchandising. He stated that the city is changing; and, by way of example, he noted that the 1961 edition of Holiday Magazine on San Francisco had been completely laudatory whereas the 1970 edition of the magazine on San Francisco had not been so kind. In other cities, preservation of the past has been given very high importance. He believed that the City of Paris building is one of the most representative buildings in San Francisco. Such buildings were built with a sense of affluence; and, in the present, people turn to them in order to forget the "cheapness" of modern buildings. Excellence does not change. He remarked that a good volume of business had taken place in the City of Paris building over the years; and he felt that such business could be continued by a merchant who knows what he is doing. He acknowledged, however, that the building has not been used as effectively as possible during the last few years. He regarded the building as one of the City's greatest National heritages and as a true landmark; and he urged that it be designated as a Landmark.

Stewart Morton, representing the Foundation for San Francisco's Architectural Heritage, read the following prepared statement:

"The Foundation for S.F.'s Architectural Heritage seeks the support of the Planning Commission to grant landmark status to the City of Paris building, located at 199 Geary Street.

"Heritage feels that landmark status should be granted to the City of Paris building on the basis of its architectural and its historical merit. The architectural merit of the building has two elements - the exterior and the interior. The exterior's main function is as a cornerstone influence to Union Square. Any change to Union Square's composition of old and new buildings will require a very sensitive design solution. Union Square has been treated as a Special Space by generation of San Franciscans. The interior rotunda design is obviously one of the grandest designs in all of San Francisco. The special influence is most important to the human design of a building.

"Modern retail space is highly efficient and functional inside, but lacks any human scale on its exterior. Macy's brick addition on Geary St., Liberty House's new store on Stockton and O'Farrell, adjacent to the property in question, and the plans of the proposed Saks Fifth Avenue across Union Square are all characterized by blank, windowless facades. Further walling in of Union Square will do either to complement the current attractiveness of the Square itself.

"Heritage suggests to Carter, Hawley, Hale, the parent organization to Neiman-Marcus that an incorporation of the existing City of Paris building (199 Geary St.) with a new facility at 133 Geary Street, property they also own, will give the total store a 250-foot frontage on Geary Street and a 137.5-foot frontage on Stockton Street. The square footage therefore will give Neiman-Marcus their desired 30,000 sq. ft. per floor, that which they feel necessary for their retail facility.

"Heritage feels, that landmark status given the City of Paris building would encourage both Neiman-Marcus and the John Carl Warnecke people to give great consideration to a development plan which incorporates the existing corner building as the identification highlight of their new San Francisco Neiman-Marcus. Landmark status seems to be the most appropriate technique to insure the utmost in consideration for using the existing City of Paris building.

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"Neiman-Marcus has stated they will open a retail store in San Francisco. It will either be a totally new facility, on the site of the current City of Paris building, or an integrated use of a refurbished City of Paris building with an adjacent new structure. The main question is not whether Neiman-Marcus will be in San Francisco or not but in what physical building on that site.

"Heritage would like to see Neiman-Marcus open their successful store in the existing City of Paris building and seeks the Planning Commission to vote Landmark status to that Grande Dame of a structure today."

Commissioner Porter asked if Mr. Morton had read the engineer's structural report on the City of Paris building. Mr. Morton replied in the affirmative and indicated that he had found some faults with the report. He continued to believe that the building could be rehabilitated.

Bradford Paul, representing the Citizen's Committee for the City of Paris building, remarked that he had addressed himself to the inadequacies of the structural engineer's report at the Landmark Preservation Advisory Board's hearing on the City of Paris building. He noted that no structural analysis of the building had been made; and he felt that that fact said something about the thoroughness of the report. The real question before the Commission, however, was whether the building is a landmark. In order to qualify as a landmark, the building must have historic, architectural, or aesthetic merit or a significant combination of the three; and he felt that the sign on top of the City of Paris building which reads "City of Paris since 1850" adequately testifies to the worthiness of the building for landmark designation. He believed that the building is one of the most unique commercial buildings in the entire city; and he emphasized that 22,000 signatures had been submitted by individuals who felt that the building is aesthetically significant. He remarked that San Francisco was for a long time known as "The Paris of the West"; and, in order to preserve that title, the city would have to protect its heritage. He believed that Union Square and the City of Paris building constitute the essence of the fabric of the city; and he felt that the building should be designated as a Landmark. While there might be disagreement as to whether other buildings in the city should be designated as landmarks, he believed that the City of Paris building would rank among the first 10 on anyone's list of buildings in the city which should be designated as Landmarks.

Evelyn Wheaton stated that she had worked for five years in the rotunda of the City of Paris building; and she felt that the building meets every requirement for designation as a landmark structure.

Beatrice Kirschenbaum stated that she had recently spent a great deal of time in the City of Paris building; and she had been horrified to see the new blank wall of the building which is being constructed next door. Such a building is not appropriate for Union Square; and she felt that it would be better to retain the buildings which already exist, especially the City of Paris building, because it is so beautiful.

Helen Noakes, a member of the American Institute of Interior Designers, remarked that there are good qualities in new architecture as well as in old architecture. Unfortunately, most contemporary architecture in San Francisco reflects no imagination or aesthetic quality; and she felt that the new buildings are slowly destroying the city. She believed that the City of Paris building is unique in San Francisco and in the United States; and, being "one of a kind", it would be a very difficult building to replace. She stated that old buildings can be used effectively; and she felt that the City of Paris building should be preserved.

Margo Warnecke read and submitted the following statement:

"I am an architectural history student at Stanford University.

"As the daughter of the architect hired by Mr. Marcus to design the new Nieman-Marcus Department Store, I wish to speak again--on behalf of saving the old City of Paris.

"In my opinion, the building in question has little or no exterior architectural merit, Its real merit lies in the building's scale and in its historic value to the people of San Francisco.

"Despite the fact that the building's exterior is of questionable quality, the building's scale should be observed. The unique scale of Union Square as a whole should be taken into consideration by this Commission. A new building on that corner could prove to be disastrous.

"As to the building's historic value--many of the city's traditions and romance are very much a part of the great interior rotunda, topped by the stained-glass skylight. Besides, the exquisite interior architectural moldings make the City of Paris the most romantic department store in downtown San Francisco.

JULY 11, 1974

"For the life of me, I cannot understand why Mr. Marcus and my father see no commercial value in saving this historic space!

"It has recently come to my attention that the building next door to the City of Paris is also slated for demolition; to create a 30,000 square-foot site planned for the new store. The height limit designated to this city space is 130 feet. The City of Paris, as is, stands about 50 or 60 feet tall.

"Why not build the additional space needed for the new department store behind the City of Paris? This would allow the architect to keep the scale and the historic value of the original building. I have in mind something similar to my father's LaFayette Square in Washington D.C. In that design he saved the historic buildings along LaFayette Square by building the necessary new offices behind the older buildings, complementing them with a similar brick color-scheme. He did a fantastic job and upheld the principles of architectural preservation which I know he strongly believes in.

"If a similar design concept was considered, the fear of earthquake damage would be minimized if the new building acted as its brace.

"Another good example is the small, historic Mission Dolores, which was saved by building the larger baroque church next door to serve its growing congregation. But enough of my proposals!

"I'm still of the opinion that if Mr. Marcus and my father cannot find the City of Paris appropriate as a retail store, they should look for a different site and let someone who does value its historic merit preserve and retain the original building.

"I would like to close by applauding the Landmarks Advisory Board's decision to make the City of Paris an historic landmark. As they are appointed as your advisory board, I think their designation of the City of Paris should be honored by this Commission.

"The advisory board members were appointed because of their demonstrated knowledge of architecture and the city's history. Please respect the integrity of that board by upholding their decision."

JULY 11, 1974

Commissioner Porter asked Miss Warnecke if she had discussed her thoughts and suggestions with her father. Miss Warnecke replied in the negative. In reply to question raised by Commissioner Fleishhacker, Miss Warnecke stated that she is a major in architectural history not in architecture and that she does not wish to become an architect.

Douglas Engman, representing the Coalition of San Francisco Neighborhoods, read the following statement:

"The Coalition for San Francisco Neighborhoods considered this issue at its regular meeting this week. While the Coalition does not have the capability to comment on the architectural and historical merits on each structure proposed as a Landmark, the Coalition did pass a resolution for guidance in the consideration of landmarks.

"RESOLVED: That the Coalition for San Francisco Neighborhoods urges the preservation of historical buildings in all areas of San Francisco in order to maintain the historical and architectural heritage that makes this City such a unique and fascinating city in which to live. The Coalition urges the City Planning Commission and the Board of Supervisors to utilize whatever means necessary, including the landmarks process, to achieve this objective.

"We hope that the Commission follows the spirit of this Resolution in its consideration of the City of Paris as a landmark."

Tina Hoffman, representing Native Sons of the Golden West, stated that members of her organization from throughout the state felt that the City of Paris building should be retained for the future since it has been so much a part of the city's past and present. She stated that she had received a great deal of mail on the subject; and she advised the Commission that one of the letters which she had received remarked that the demise of the City of Paris building would in many ways spell out the death of a great city.

Gabriel Sheridan stated that he had recently looked at the murals at the Beach Chalet where many famous San Franciscans are represented; and he had noted that only one architect was represented in the mural, that being Arthur Brown, Jr., who had designed a number of buildings in San Francisco and the Bay Area and who had designed the interior of the City of Paris building. Several arguments had been offered by individuals who were opposed to designation of the building as a Landmark; and he wished to reply to each of those arguments. One argument was that 50% of the buildings in San Francisco could be

designated as Landmarks. However, in the Junior League book entitled "Here Today" only a small section is devoted to downtown San Francisco with less than 20 buildings being cited and only 10 pictured. One of the buildings pictured was the City of Paris building; and, in addition, a whole column had been devoted to a history of the Verdier family. He emphasized that that book had been published before the building was threatened. A second objection was that the cornice of the building has been removed, rendering the exterior facade "impure"; yet, he pointed out that the Director of the Mint has promised that the cornice which was removed from that building will be replaced. A third argument was that the building is not and cannot be made into effective merchandising space. However, if the building were to be designated as a Landmark, the allowable floor space not utilized on the subject site could be transferred to a new building which could be constructed on the adjacent property which is under the same ownership; and that additional space should be sufficient to fulfill the merchandising needs of the new department store. Another argument was that the City of Paris building is not and has never been earthquake proof. However, his research had indicated that Union Square was still open for business after the earthquake and before the fire; and Mr. Verdier had been able to take \$5,000 worth of merchandise out of his building before the fire struck. Furthermore, Mr. Verdier had tied the curtains on the second floor of the building into knots so that they would not flap in the breeze; and he would not have been able to reach the second floor if the collapse cited in the structural engineering report had been caused by the earthquake. A translation of the motto of the building as written in the dome would read as follows: "Yes, we can be battered by storms, but we never sink". While some people might claim that no building can be made earthquake-proof, he felt that any nation that has the technology to move a monument such as Abu Simble should be able to make older buildings safe. A fourth argument offered in opposition to designation of the building was that the building would remain vacant if it were to be designated as a Landmark; yet, since the Union Square area is one of the "hottest" real estate areas in the world, he felt that some occupant could be found for the building. Finally, some individuals had argued that the architectural quality of the building does not meet the qualifications for landmark designation; and, in response, he stated that while the name of Arthur Page Brown may mean very little elsewhere, in San Francisco it means everything.

Peggy Lang stated that she certainly would not wish to discourage Neiman-Marcus from coming to San Francisco; and she acknowledged that the City of Paris building probably needs a great deal of work. However, with all of Neiman-Marcus' imagination and resources, she could not believe that they could not find a way to preserve the building and profit from it.

Kenneth Hunter, representing San Francisco Tomorrow, stated that the Board of Directors of his organization had unanimously supported the proposal to designate the City of Paris building as a Landmark. In taking that action, they had not indicated why they felt that the building deserved to be designated; they had merely felt that there could be no question but what the building deserves is to be designated as a Landmark.

Jim Hahn, an architect, felt that everybody would be satisfied if the romantic City of Paris building could be preserved and coordinated with a more intensive use of the adjacent parcel of property. He stated that he had previously been before the Commission with arguments of hardship which had fallen on deaf ears; and he felt that the hardship arguments made by Neiman-Marcus should fall on deaf ears, also.

Robert Steere, a real estate salesman and a Master of Art History, believed that people come to San Francisco because of buildings like the City of Paris; and he felt that the building should be preserved.

Jean Fagin, an art student, asked if people want the City of Paris to exist only as a picture in a book or as a real place where children can go to see it.

President Newman asked for a show of hands of individuals present in the audience in support of the proposal to designate the City of Paris building as a landmark. Approximately 50 people responded.

William Coblentz, Attorney for the owners of the building, introduced Stanley Marcus who read and submitted the following prepared statement:

"Mr. Chairman, Members of the Planning Commission, when Neiman-Marcus first contemplated building stores in California, San Francisco was an obvious prime location. As we studied the area we quickly determined that Downtown San Francisco was 1 of perhaps only 2 downtown areas in the country that enjoyed the stability and retail growth which might support our type of operation.

"When the City of Paris property was first acquired we had the impression that the original building could be retained, for we were mindful of the fondness that many citizens had for this site. Subsequent studies have suggested, however, that to modify the interior spaces to meet our retail concepts and present safety

standards would be economically unfeasible. To attempt to utilize the interior space as is would deny us necessary improvements in air conditioning, lighting and vertical transportation, but more importantly, the building would be unsafe under certain earthquake conditions. We therefore concluded that we must erect a new building.

"The store we would propose to build would allow in the tradition of stores we have built in other parts of the country - Texas, Atlanta and Bal Harbour, Florida. These stores not only embody a high degree of architectural sensitivity, but we attempt to design the interiors with a sense of 'well being' - the Greeks have a word for it EUPHORIA. For we believe it is not just enough to build a store to sell goods - we want the most important element in our stores to be the people who enter it. With that in mind we devote a great deal of space to open air - space for people to walk, air for people to breathe. We bring to our stores objects of art which are not for sale, but which contribute, we believe, to the atmosphere of our stores and the education of the public in general.

"A feature of our more recent stores is the large open well which in San Francisco could be designed to recall many of the elements of the well at the City of Paris. We would propose to erect the famous Christmas tree annually - a tradition which so many citizens in the San Francisco area have asked us to maintain. We have also proposed and pledged to retain the glass dome in a proper setting within the new store.

"We are confident that our architects, the local firm of John Carl Warnecke and Associates, will supply the sensitivity to a new building that will insure the integrity of Union Square and preserve the uniqueness and individuality for which San Francisco is so famous.

"We are equally confident that we can deliver to the citizens of San Francisco a store which will become a tradition in its own right while retaining the most famous features of its respected predecessor."

Commissioner Fleishhacker asked Mr. Marcus to comment on the suggestions made by several people that Neiman-Marcus should construct a new building on the adjacent Geary Street property to fulfill its merchandising needs and that it should preserve the existing City of Paris building. Mr. Marcus replied that it was the intention of his firm to utilize the adjacent parcel

of property. Mr. Coblentz stated that one of the following speakers would elaborate on that issue.

President Newman stated that he assumed that Neiman-Marcus had given consideration to using the existing building but had decided that it would be infeasible to do so. He remarked that designation of the building as a Landmark could result in a one year delay in the issuance of a demolition permit; and he asked if the building would still be demolished at the end of the year if the building were to be designated as a Landmark. Mr. Marcus replied that the building would probably be demolished at the end of that time; however, he observed that it would take a great deal of "staying power" to wait for one year and to accomplish nothing in the meantime.

Commissioner Porter remarked that much had been said about earthquake hazards. She had attended the hearings which had been held on the City of Paris building by the Landmarks Preservation Advisory Board; and it was her understanding from what she had heard at those hearings that the building could not be reconstructed to meet current code standards.

Mr. Coblentz stated that some questions had been raised regarding the first structural report which had been prepared; and, as a result, they had engaged Dr. John Blume, who had just prepared a seismic study for the Department of City Planning, to prepare another report on the City of Paris building. He then called on Dr. Blume.

Dr. Blume read and submitted the following prepared statement:

"Our part of this investigation is limited to the seismic stability of the structure and is not concerned with other aspects of the problem.

"The 6-story plus basement building at the southeast corner of Geary and Stockton Streets was constructed by the Spring Valley Water Company in 1896. The water company used the top 4 floors for offices and the City of Paris department store occupied the lower stories.

"The building has a structural steel frame, unreinforced brick masonry exterior walls and some terra cotta interior partitions. The floor construction is a concrete fill placed on top of terra cotta occupying the space between the lower flanges of the floor beams. Ceilings are of plaster on wire mesh suspended from wires with steel runner channels.

"The building was severely damaged during the earthquake and fire of 1906. Photographs taken after the fire show that the south and east walls were almost entirely demolished and most of the interior structural frame and floors at the southeast corner and central portion collapsed. The facade and walls on the Stockton and Geary Street sides were retained when the building was rebuilt. Apparently an interior column in the southeast corner of the building collapsed in 1906 and this led to extensive damage. There are conflicting reports as to the cause of this column collapse and it is uncertain whether the failure was a direct result of the earthquake or the fire. One reference indicates dynamite caused some of the damage. It was a common problem to determine the exact cause of damage for buildings in the fire zone. In any event, the entire interior frame of the building was rebuilt using the same type of construction as in the original 1896 building. Some of the details were changed including the size of the interior light court or rotunda. For the record, it should be noted that the location of the building in San Francisco was not in the area of the most extensive seismic damage.

"The question has been asked as to how the building might perform in another great earthquake. Since no two earthquakes are alike in all of their characteristics, the performance in one earthquake is no guarantee of similar performance in another earthquake, especially for a building of this type which was not designed for lateral forces caused by earthquakes. Any resistance the building has is a result of its materials and geometry and is of a random character subject to wide variations depending upon the particular ground motion. It is quite probable that the building today is less resistant to earthquake motion than it was in 1906 because of two factors: (1) deterioration due to time and the elements; and (2) residual unseen and unrepaired damage or working of parts and elements from the 1906 earthquake. It is likely that another great earthquake such as 1906 would cause considerable damage to the City of Paris building in its present condition, and the possibility of at least partial collapse must be entertained. Regardless of the performance of the building as a whole, the high, unreinforced brick masonry parapet walls would be expected to fail. It must be noted that even though the building has a structural steel frame, it is a type of framing that hasn't been used for a great many decades and it lacks the continuity, redundancy and ductility of conven-

tional steel framing where the columns are continuous or continuously spliced from the bottom to the top of the building. In the City of Paris building neither the girders or the columns continue through the joints.

"An approximate estimation was made of the structural adequacy of the building. Although approximate, the calculations were made on the liberal side by assuming the best conditions for the building materials. These calculations definitely indicate that the building would fail in certain elements and could collapse. Further, the effect of adjacent buildings pounding against the City of Paris building during the earthquake motion can only be surmised, but could be quite damaging.

"Another question has been asked, namely, does the City of Paris building comply with the present San Francisco building code insofar as seismic resistance and structural requirements are concerned. The answer is no, the building does not comply in a great many respects including the following:

- . It is unreinforced brick masonry,
- . The floor system would not comply with the present diaphragm requirements of floor systems not only because of the rotunda opening but because of the connections of supporting steel beams and floors,
- . The parapets would not comply with the code,
- . The steel frame would not comply with current requirements and is basically good for only vertical loads,
- . The building is structurally asymmetric and there are no design provisions to compensate for this,
- . The building has not been designed for lateral earthquake forces.

"Another question has to do with what might be required to bring the entire building up to modern code provisions. This would be a very difficult job especially if it required saving most portions of the building such as the frame, the floors, the exterior facade

JULY 11, 1974

of the Geary and Stockton Street walls, and the rotunda. The work would include stripping the building and the replacement of existing brick walls with reinforced concrete walls and framing. A rough estimate of the cost of doing this would be as much as or more than constructing a new building of the same size.

"Another approach, of course, might be to save certain elements of the building such as the facade or the rotunda and to incorporate these features and elements in a complete new building in such manner as to be earthquake resistant.

"Severe earthquakes don't happen very often but when they do the results are disastrous. Although some old or traditional buildings have inherent resistance to earthquake motion, many do not. Unfortunately, the City of Paris building has only nominal resistance and must be considered as a dangerous structure, in a strong earthquake. This would not prevent the incorporation of some of its features into the design of a new building."

Mr. Coblentz then introduced George Livermore, an architect who specializes in rehabilitation projects and who started his career with Arthur Page Brown, who was the architect of the interior of the City of Paris building. Mr. Livermore stated that no one had been more sentimental about the City of Paris building than he; however, he believed that a building without access onto O'Farrell Street simply could not serve modern merchandising requirements. He stated that the exterior of the City of Paris building had never been considered to be a masterpiece; and he remarked that the dome and its railing, which are the most impressive features of the interior, could be integrated into a new building. Therefore, he recommended that the Commission approve Neiman-Marcus' scheme for construction of a new building on the site.

Mr. Coblentz then introduced Otto Dressler, who had participated in the installation of the dome in the City of Paris building. Mr. Dressler stated that he would like to see the dome retained; however, since the lead which binds the glass together has suffered a great deal of corrosion during the past 65 years, the dome would need a great deal of repair.

Eugene Kohn, representing the office of John Carl Warnecke, Architect for Neiman-Marcus, displayed slides which showed the type of exterior and interior treatment given to other Neiman-Marcus stores throughout United States. He also explained the type of

JULY 11, 1974

basic floor plan which was being considered for the new San Francisco store, emphasizing that the entrance to the store would be on an axis with Union Square.

Mr. Coblentz remarked that a pamphlet had been distributed entitled "Is Paris Burning?"; and he advised the Commission that he had composed his own version of the pamphlet which he read and submitted. The statement read as follows:

"Since 1850, the merchantile spirit of 'Old San Francisco' has been embodied in the magnificent department store, the City of Paris. In 1909, its founders, the French Verdier family, moved their establishment to the corner of Geary and Stockton Streets. There it was housed in a structure reminiscent of Paris and topped by a central glass dome, floating over a four-story rotunda, annually graced by a decorated Christmas tree, a City tradition for over half a century.

"Although the structure now fails to meet city safety codes, and engineers have concluded that it is an earthquake hazard, the beautiful dome and the tradition of the annual Christmas tree can be preserved in a new Neiman-Marcus store which is planned for the site. The old City of Paris Company is out of business, and the only way the great traditions which were developed here will be saved is for a company of the stature of Neiman-Marcus to create a new retail establishment which will retain the classic art glass dome which the management of Neiman-Marcus has promised to make a focal point of its new store.

"Various forces have suggested that the building should be made a landmark and remain untouched. If this were to happen, it would cease to be one of the City's outstanding stores, and would be shuttered so that the public could no longer enjoy the beauty of the dome and the magnificent tree during the Christmas season. We urge the Planning Commission and the Board of Supervisors to work with Neiman-Marcus to make it possible for the store to carry out its commitment to maintain the dome in a high quality retail atmosphere which all San Franciscans may enjoy in the future."

In conclusion, Mr. Coblentz stated that he felt that he could have obtained a large number of signatures from people who would be anxious to see Neiman-Marcus installed in a new building on Union Square; however, he had recognized that the Commission was

not judging a "popularity contest". He urged that the building not be designated as a Landmark.

Leonard Glazer stated that he was interested in the question of seismic safety; and he felt that there was no question but what the City of Paris building would be unsafe in an earthquake. While he had talked with one lady who had stated that she would rather die in a fine old building than in a new one, he felt that the City of Paris building should be demolished and replaced with a safe structure for the general public's benefit. In his opinion, the petitions which had been submitted in support of the proposed designation of the building as a Landmark did not amount to "a hill of beans"; and he felt that he could obtain 20,000 signatures on a petition proposing the demolition of all of the buildings around Union Square based on the thesis that Union Square is the most unsafe area in the city. While many people visit the "death traps" around Union Square only once or twice a year for shopping, other people have to work in them on a daily basis. While he was pleased that Neiman-Marcus was obviously concerned about earthquake safety, he felt that they should reconsider their proposal to incorporate the glass dome of the present building into their new building since the dome is obviously not earthquake-proof. He felt that the dome should be placed in a museum. He emphasized the negative nature of the statement which had been read by Dr. Blume, whose work must be highly regarded by the Department of City Planning since it had hired him as a consultant on one of its own projects; and he urged the Commission to anticipate the inevitable earthquake and to try to save as many lives as possible.

Edward Lawson, representing the Chamber of Commerce, stated that his organization was concerned about safety, about the effect which vacant buildings can have on general downtown interests, and about the possible effect of a one year delay in issuance of the demolition permit sought by Neiman-Marcus. As a result, he urged the Commission to recommend that the proposal to designate the building as a Landmark be disapproved. He felt that most cities in the United States would give their "eye-tooth" to obtain a fine new department store building such as the one which Neiman-Marcus proposed to construct; and, given the quality of the stores which had been constructed by Neiman-Marcus in other cities, he felt that the new building might be an even greater asset to the city than the present building.

Albert Jacobs, a member of the Landmarks Preservation Advisory Board who indicated that he was speaking from a purely personal point of view, emphasized that respected engineers had specified that the City of Paris building could not be saved; and, under the circumstances, he felt that it was wrong for people to

allow their hearts to run away with their minds and to allow the core of the city to become static. Instead, he felt that people's ideas should be pregnant and aimed towards the rebirth of the Union Square area; and he encouraged people to look forward and not backward. Given the personal guarantees which had been made by Mr. Marcus, he believed that disapproval of the proposal to designate the building as a Landmark could bring nothing but benefit to the city; and he felt that the Commission should look toward the challenge of the future rather than towards the preservation of the past.

President Newman asked for a show of hands of individuals present in the meeting room in opposition to the proposal to designate the building as a Landmark. Approximately 15 people responded.

Mr. Sheridan called attention to the fact that Dr. Blume had stated that the existing building could be rehabilitated for approximately the same amount of money as a new building of the same size would cost; and Mr. Home had stated that the new building being contemplated for the site would not be any larger than the existing building. Under the circumstances, it seemed to him that the existing building should be retained.

Allan B. Jacobs, Director of Planning, stated that the staff of the Department of City Planning had not been concerned with the new operators of the department store or with the renderings which had been prepared for the new building but with the question of historic preservation; and he remarked that prior to the negative recommendation which had been made concerning the Goodman Building earlier in the afternoon, the staff had never recommended that the Commission should overrule a recommendation made by the Landmarks Preservation Advisory Board. He then continued his comments as follows:

"Among the many landmarks already designated, none has generated as much apparent public interest as this case. In fact, City of Paris is being considered today because a group of people submitted petitions to the Board of Supervisors, and the Planning, Housing and Development Committee asked the Department to investigate the matter and report back to them.

"The special character appears to have derived from an interior feature, the rotunda, particularly at Christmas time with "the tree" on display, and this developed into a tradition. Naturally such traditions are important to the vitality of any city. However, as Mr. Marcus pointed out before the Landmarks Board on June 5, at which

many of you were present, without a store, there will be no tree. Mr. Marcus also promised that any replacement structure would provide a comparable rotunda with every effort being made to re-install the existing art glass skylight overhead.

"Regarding historic interest or value, as a functioning department store, the City of Paris had both. It was, for nearly all of its 122 years, a symbol to the city and the region. From testimony, its significance was that of an institution of quality. But the City of Paris, for whatever reason, has ceased operation.

"With respect to architectural or aesthetic interest, few have spoken of any exceptional merit or the exterior. Rather overwhelming, comment has been directed to interior and Landmark designation really offers no protection for the interior. While the building is included in "Here Today" no mention is made of the exterior. If I were to list buildings in the downtown area of special importance to that area because of their facades, or other exterior architectural or urban design considerations, the City of Paris building would not appear on that list.

"The feasibility of rehabilitation of this building has been shown to be dubious at best.

"In view of the above, I recommend disapproval of this proposal for Landmark designation.

"However, in view of the general recognition of the importance of the site and the character and tradition of the former store, I would recommend the City Planning Commission indicate its intention to exercise its discretionary review power for the purpose of achieving an exterior building appearance compatible with the Union Square retail area and the recreation of an interior open space having the character of the City of Paris building.

"Further, I would recommend the Commission urge the developer to develop plans in consultation with the Department, and to take appropriate steps to preserve the rotunda skylight for re-use in the proposed new building."

The Director stated that he had not known previously that Dr. Blume was engaged in a study for Neiman-Marcus; however, he indicated that the work which had been done by Dr. Blume's firm for the Department of City Planning on the Seismic Safety Study had been excellent. Concluding his remarks, he recommended the adoption of a draft resolution which contained the following resolves:

"THEREFORE, BE IT RESOLVED, That the City Planning Commission has determined that the designation of the former City of Paris building as a Landmark would not conform with the purposes and standards of Article 10 of the City Planning Code, and hereby DISAPPROVES the proposal to designate the former City of Paris building at the southeast corner of Geary and Stockton Streets as a Landmark;

"AND BE IT FURTHER RESOLVED, That the City Planning Commission does hereby declare its intention to review any building permit applications filed for construction of a new building on the southeast corner of Geary and Stockton Streets under its discretionary powers for the purpose of achieving a building occupancy and exterior building appearance compatible with the Union Square Retail Area, and the recreation of an interior open space having the character of the former City of Paris building;

"AND BE IT FURTHER RESOLVED, That the developer take appropriate steps to preserve the rotunda skylight on the former City of Paris building for re-use in the proposed new building."

Mr. Sheridan pointed out that the Garden Court of the Palace Hotel had been designated as a Landmark in spite of the fact that it is an interior space; and he remarked that no discussion had taken place about earthquake hazards when that matter was under consideration. Furthermore, City Hall, which also has a dome, was designated as a Landmark, and, according to Dr. Blume's testimony, City Hall is located in a less safe earthquake area than the City of Paris building. While the Director of Planning did not care for the exterior of the City of Paris building, the architect who had designed those facades had also done the exterior and interior of other great buildings in San Francisco. He felt that the existing building should be retained and that advantage should be taken of the additional space which could be constructed on the adjacent parcel of property; and he believed that it would cost no more to make the existing building earthquake-proof than it would cost to construct a building of comparable size on the site which was

apparently what Neiman-Marcus intended to do. In conclusion, he urged the Commission to approve the proposal to designate the building as a Landmark and to preserve a great building for the city.

Walter Johnson, Secretary and Treasurer of Local 1100 of the Retail Clerk's Union, stated that he had no desire to have San Francisco become like Oakland "where there is no there there"; however, he did not feel that the city has to destroy its past for its future. Saving a little bit of the building for incorporation into a new building would not save the building itself; it would only serve as a reminder that what we have had in the past is gone. He felt that it would be better to accept the challenge of using what we have to preserve the past and to weave it into the future. He expected that people would question why he, a union man, would speak in such a manner since a new department store would mean more jobs for people in his union; however, he felt that people should not be separated from their traditions. In conclusion, he stated that he was of the opinion that Neiman-Marcus and their architects should accept the challenge of working with the building which presently exists.

Mr. Paul, noting that delaying the issuance of the demolition permit would require separate action by the Commission, suggested that the Commission should proceed to designate the building as a Landmark at the present time and to consider the issue of delaying the issuance of a demolition permit whenever such a permit is requested. During the interim, he believed that it might be possible to convince Neiman-Marcus or the Commission that the building should be retained.

Rene Davis, who had been in charge of gathering signatures on petitions in support of the proposal to designate the building as a Landmark, stated that the last 8,000 signatures were acquired in two weeks without any significant publicity or effort; and she felt that the 22,000 signatures which had been collected indicated that people have a real interest in preserving the building. Unfortunately, the quality of merchandise available in the building for the last few years has not attracted a great number of people to the store; and, therefore, there was no basis for making an assumption as to whether a new building would attract more shoppers than would better quality merchandise in the existing building. Furthermore, if Neiman-Marcus owns the adjacent parcel of property and can construct all of the additional space which it needs on that site, she saw no reason to tear down a structure as valuable as the City of Paris building.

JULY 11, 1974

Commissioner Fleishhacker, noting that Mr. Paul had proposed an "easy way out" and had suggested that designation of the building as a Landmark would not necessarily delay the issuance of a demolition permit, stated that he did not read the ordinance that way. Mr. Steele replied that designation of the building as a Landmark would require that a certain process be followed if any application were filed for a demolition permit. That process would not have to be followed if the building were not designated as a Landmark. In reply to a further question raised by Commissioner Fleishhacker, Mr. Steele stated that the process to which he had referred could delay the issuance of a demolition permit.

Commissioner Fleishhacker asked Mr. Coblentz if he could state with any degree of certainty what Neiman-Marcus would intend to do if the building were designated as a Landmark as opposed to the approach which it would follow if the building were not to be designated as a Landmark. Mr. Coblentz replied that the building would remain vacant until such time as a demolition permit is issued if the building were to be designated as a Landmark. If the building is not designated as a Landmark, Neiman-Marcus would wish to proceed as quickly as possible with construction of a new building on the site. He remarked that the obvious purpose of a delay in issuing a demolition permit for the building would be to enable individuals or groups who are interested in preservation of the building to try to acquire the property; however, he emphasized that the Landmarks Ordinance does not require the owner of the property to sell even if a fantastic offer should be made.

Commissioner Porter moved that the draft resolution which had been recommended by the Director be adopted. She stated that she trusted in Dr. Blume's opinion that the building could not be renovated to meet present code standards; and, under the circumstances, she felt that it would be most extraordinary for anyone to try to preserve the building. She also believed that Neiman-Marcus would have been willing to keep the existing building if it were possible to preserve it and to have a viable store. She noted that there was an obvious difference of opinion concerning the architecture of the building; and she felt that it was significant that Mr. Livermore, who was once associated with Arthur Page Brown, did not think too highly of the building. A great deal of emotion had been expressed about the rotunda of the building and the annual Christmas tree which has been a City of Paris tradition; but she emphasized that the City of Paris Department Store no longer exists. In conclusion, she stated that she was opposed to the designation of the building as a Landmark since the only effect of such designation would be to delay construction of a new building for one year and to cost Neiman-Marcus a great deal of money.

The motion was seconded by Commissioner Fleishhacker.

JULY 11, 1974

When the question was called, the Commission voted unanimously to adopt the draft resolution which had been recommended by the Director as City Planning Commission Resolution No. 7212.

At 5:00 p.m. President Newman announced a ten minute recess. The Commission reconvened at 5:10 p.m. and proceeded with hearing of the remainder of the agenda.

CU74.14 - 1674 PAGE STREET, NORTH LINE, 81.25 FEET EAST OF CLAYTON STREET.

REQUEST FOR AUTHORIZATION TO CONTINUE USE OF THE SUBJECT PROPERTY FOR OFFICE, MEETING, STORAGE, WORKSHOP AND REHEARSAL SPACE FOR MOTHER GOOSE, INC., AN ELEEMOSYNARY INSTITUTION; IN AN R-3.5 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 25-foot frontage on Page Street and a 100-foot depth for a total area of 2500 square feet. The lot is occupied by a building containing 3 flats, the ground floor of which is presently used by Mother Goose, Inc. The applicant was requesting authorization for continuation of the present use of the ground floor of the building. No off-street parking is provided or proposed. The one vehicle used by Mother Goose is garaged at another location in the neighborhood.

Jaime Cavanaugh, Director of Mother Goose, Inc., stated that he was present to answer any questions which might be raised by members of the Commission.

No one was present to speak in opposition to the application.

Mr. Steele recommended that the application be approved subject to five conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Cavanaugh replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7213 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

JULY 11, 1974

CU74.37 - 1500 GROVE STREET, NORTHWEST CORNER OF GROVE AND BAKER STREETS.

REQUEST FOR AUTHORIZATION TO CONVERT THE EXISTING OFFICE BUILDING TO A PRIMARY SCHOOL WHICH WILL INCLUDE A NURSERY SCHOOL OR CHILD CARE CENTER TO ACCOMMODATE A TOTAL ENROLLMENT OF APPROXIMATELY 100 CHILDREN BETWEEN THE AGES OF 2 AND 8 YEARS, OF WHICH APPROXIMATELY 50 WOULD ATTEND FULL-TIME AND APPROXIMATELY 50 PART-TIME; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 75 feet of frontage on Baker Street and 125 feet of frontage on Grove Street for a total area of 10,000 square feet. He stated that the property contains a one-story office building which has an area of approximately 4,370 square feet. The building is currently used as a child psychiatric clinic for the City's Department of Public Health. The applicant proposed to convert the existing building to classroom use and to convert and develop the existing parking lot and yard into 5,630 square feet of play space. The facility would be intended to serve a maximum enrollment of 85 children ranging in age from 2 to 8 years.

Mary Nordland Bodo, Director of the Pacific Primary Project, read and submitted the following statement:

"The planning of Pacific Primary began last fall as a direct response to an expressed need, which was for a nursery/primary school, with extended day care, for children ages 2 through 8--a unique non-profit organization to serve middle income and working families of all ethnic backgrounds who could not qualify for tax-supported day care designed for poverty level families only. It is a parent organized and supported project with a heavy emphasis on family counselling for parents of young children, and a creative arts curriculum.

"The most difficult element in the founding of such a school is finding a location in San Francisco accessible to working families, a single-story structure with contiguous outdoor space, one requiring minimal remodelling, and meeting building code requirements, and state department of health licensing requirements.

"1500 Grove is an ideal location for our project for the following reasons:

- "1. Its integrated neighborhood reflects our integrated Board of Directors and Steering Committee.
- "2. It is convenient to the downtown working area.
- "3. It has nearby Muni service.
- "4. It is near several public parks for outdoor play for the older children.
- "5. The building is large enough to accommodate the 85 enrollees we are planning, compactly designed for good supervision inside and out, and economical enough in lease and remodelling expense so that we can finance it.

"We have prepared a landscaping plan--to indicate our intention to plant street trees along Grove and Baker, to plant screening trees along the backyards of our neighbors, to refence the property, to landscape the play yard in such a way as to provide a pleasant view for our neighbors. We will set back the fencing 2 feet on both street sides and plant shrubs in front of the fence to minimize the present 'institutional' look of the building. We will request a white passenger loading zone for approximately four diagonally parked cars on Baker. This, together with the present white and green zones on Grove, is adequate space for delivering children.

"We have talked with our neighbors in the vicinity of Grove and Baker and found much support for our plan to open a primary school there, especially to improve the outdoor area, where there is now decrepit fencing, trash, and broken glass. We have submitted letters of support and indications of the need for child care services in the area from the neighborhood associations. We feel our school will be a welcome addition to this rapidly improving area, both in the service rendered and in the appearance of the property."

President Newman asked how the proposed school would be funded Mrs. Bodo replied that the school would be tuition-supported; however, her group was also seeking foundation support for remodeling the subject building to meet the needs of the school. She stated that the property would be acquired on a lease-purchase arrangement.

JULY 11, 1974

No one was present to speak in opposition to the application.

Mr. Steel recommended that the application be approved subject to nine specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mrs. Bodo replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7214 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

7-17-74

DOCUMENTS

JUL 25 1974

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SAN FRANCISCO
CITY PLANNING COMMISSION
MINUTES AND SUMMARY OF THE SPECIAL MEETING
WEDNESDAY
JULY 17, 1974
ROOM 282, CITY HALL
3:00 P.M.

The City Planning Commission met pursuant to notice on Wednesday, July 17, 1974, at 3:00 P.M. in Room 282, City Hall.

PRESENT: George Carey, Mortimer Fleishhacker, Walter S. Newman, Mrs. Charles B. Porter, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Thomas J. Mellon and John Ritchie, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George A. Williams, Assistant Director - Plans and Programs; Robert Passmore, Planner V-Zoning; Lucian Blazej, City Planning Co-ordinator; Alec Bash, City Planning Co-ordinator; Charles Gill, City Planning Co-ordinator; William Duchek, Planner III; Marie Zeller, Planner III-Administrative; Ruth Friedlander, Planner II; Douglas Holmen, Planner II; Robin Jones, Planner II; John Mackie, Planner II; Robert Meyers, Planner II; Paul Rosetter, Planner II; Russel Watson, Planner II; Gary Craft, Planner I; Marcy Lifton, Planner I; Eda Kavin, City Planning Draftsman; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

PRESENTATION OF COMMUNITY SAFETY PLAN FOR THE COMPREHENSIVE PLAN OF SAN FRANCISCO, A PROPOSAL FOR CITIZEN REVIEW.

William Duchek, Planner III, presented and summarized the plan. Following the presentation, Mr. Duchek, Allan B. Jacobs, Director of Planning, and John A. Blume, the Department's consultant, responded to questions raised by members of the Commission. Several members of the audience also commented on disaster preparedness in San Francisco.

At the conclusion of the meeting, the Director announced that a public hearing will be held on Thursday, August 8, at 3:00 p.m. in Room 282, City Hall, to receive comments on the plan.

The meeting was adjourned at 4:10 P.M.

Respectfully submitted,

Lynn E. Pio
Secretary

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CITY PLANNING COMMISSION

AUG 15 1974
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Minutes of the Regular Meeting held Thursday, July 18, 1974.

The City Planning Commission met pursuant to notice on Thursday July 18, 1974, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; George Carey, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Edward I. Murphy, Assistant Director of Planning; George A. Williams, Assistant Director-Plans and Programs; James White, City Planning Coordinator; Charles Gill, City Planning Coordinator; Sidney Shaw, Planner IV; Joseph Fitzpatrick, Planner III; Wilbert Hardee, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner, Larry Liebert represented the San Francisco Chronicle and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reminded the Implementation Committee (Commissioners Fleishhacker, Porter, Rueda) of a meeting scheduled next Friday, July 26, at 12:00 Noon.

PRESENTATION OF CONSULTANTS REPORT ON OPTIONS FOR
LAND USE OF HUNTERS POINT SHIPYARD AREA.

Arthur Goldman, representing the consultant firm of Sedway/Cooke, presented and summarized the report and responded to questions raised by members of the Commission. The Director stated that the staff will review the report and will prepare a set of recommendations based on the report for endorsement by the Commission.

Copies of the report are on file in the Department of City Planning.

At 3:10 p.m. President Newman announced a 5 minute recess. The Commission reconvened at 3:15 p.m. and proceeded with hearing of the remainder of the agenda.

CONSULTANTS REPORT ON FINDINGS AND RECOMMENDATIONS
CONCERNING TRANSPORTATION NOISE.

Michael Porter, representing the consultant firm of Bolt, Beranek and Newman, summarized the conclusions of their study and responded to questions raised by members of the Commission. The Director stated that the staff is in the process of preparing a Transportation Noise Element for the Comprehensive Plan; and he indicated that the report prepared by the consultants would be one of the major inputs into that plan.

Copies of the consultants report will be available in the files of the Department of City Planning.

Commissioner Ritchie requested that President Newman address letters to both Sedway/Cooke and Bolt, Beranek and Newman to express the Commission's appreciation for the work which they have done in preparing the reports which had just been presented.

The meeting was adjourned at 3:55 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, July 25, 1974.

The City Planning Commission met pursuant to notice on Thursday, July 25, 1974, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; George Carey, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Selina Bendix, Environmental Review Officer; Lucian Blazej, City Planning Coordinator; Calvin Malone, Planner III; Wilbert Hardee, Planner III; and Lynn E. Pio, Secretary.

Maitland Zane represented the San Francisco Chronicle; Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

1:00 p.m. Field Trip

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on August 1, 1974.

2:15 p.m. 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker and carried unanimously that the minutes of the meeting of July 17, 1974, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, reminded the Implementation Committee that the meeting scheduled for Friday, May 25, at 12:00 Noon has been cancelled.

The Director informed the Commission that the Legislative and Personnel Committee of the Board of Supervisors, meeting on Wednesday, had considered, and responded favorably to, the revised proposal for a Charter Amendment to

establish an open space acquisition fund. In response to a request from the Commission, the Director explained the differences between the proposed Charter Amendment and the amendment which failed on the June ballot.

The Director advised the Commission that the staff will present the draft of the Seismic Safety Element of the Comprehensive Plan to the Board of Supervisors' Seismic Investigation Survey and Hazard Advisory Committee (SISHAC) next week.

The Director reported that the Board of Control of the Northwest Corridor Study had met on July 18 to hear consultant recommendations following an 18 month study. The consultant had recommended an interim solution in the form of a transit-preferential streets program in the Richmond district. As a long-range solution, the consultant had recommended construction of a subway along a Geary Street alignment from downtown to 17th Avenue and a surface rail system from 17th Avenue to 47th Avenue. The consultant had recommended that a light rail vehicle, similar to those to be used in the Muni Metro, should also be used in the Geary Corridor. The Board of Control of the Northwest Corridor Study would not take final action on the proposal until September.

Commissioner Fleishhacker inquired about the effectiveness of the bus platforms which have been installed on Polk Street. The Director indicated that he will review the matter and report to the Commission at an early date.

EE74.113 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE
DEPARTMENT OF CITY PLANNING RELATIVE TO A PRO-
POSAL TO EXPAND THE KATHERINE BURKE SCHOOL ON
CALIFORNIA STREET AT 32ND AVENUE.

President Newman stated that he would disqualify himself from consideration of this matter because he is a member of the Board of Trustee's of the Katherine Burke School. Commissioner Fleishhacker stated that he, also, would disqualify himself from consideration of the matter because a member of his family is associated with the school. Vice-President Porter assumed the chair.

Selina Bendix, Environmental Review Officer, stated that the appellant had requested that consideration of this matter be continued until the meeting of August 1, with the hope that certain problems could be resolved by that time. She recommended that that request be granted.

It was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that this matter be continued until the meeting of August 1, 1974. Commissioner's Fleishhacker and Newman abstained from voting.

President Newman re-assumed the chair.

At 2:45 p.m. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to Room 282, City Hall, and re-convened at 3:00 p.m. for hearing of the remainder of the agenda.

3:00 p.m. Room 282, City Hall

PUBLIC HEARING ON PROPOSED CHANGES IN LIST OF PROJECTS
DESIGNATED AS CATEGORICALLY EXEMPT FROM THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT.

Selina Bendix, Environmental Review Officer, noted that she had presented a memorandum to the Commission on May 30, 1974, which reflected proposed revisions to the city's list of categorical exemptions to bring that list into conformity with the revised State Guidelines. After summarizing some of the more significant changes which were being proposed, she offered to answer any questions which might be raised by members of the Commission.

Commissioner Fleishhacker, noting that the proposed changes were mandated by State law, asked if he were correct in assuming that the Commission was obliged to approve the proposed changes. Dr. Bendix replied in the affirmative.

Commissioner Fleishhacker then asked if the changes being proposed by the staff of the Department of City Planning went beyond the changes required by State law. Dr. Bendix replied in the negative.

Others members of the Commission asked technical questions regarding the proposed changes and received clarification from Dr. Bendix. No one was present in the audience to be heard on this matter.

Allan B. Jacobs, Director of Planning, recommended that the revised list of categorical exemptions be approved.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7125 be adopted and that the revised list of categorical exemptions be approved.

PRESENTATION OF PROPOSED CHANGES IN THE DRAFT OF THE POLICE
FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN.

Allan B. Jacobs, Director of Planning, reported on this matter as follows:

"Before submitting proposed revisions to the draft, "Police Facilities Plan," which was presented to this Commission for

consideration on April 25, 1974, I would like to review the most significant points raised during the public hearing on the plan during the month of June.

"Three recurring points were raised:

"First: Development of a police facilities plan was considered premature in the absence of a police services and operations plan.

"Services and operations tend to change several times during the life of a police facility and therefore any single operations plan need not be the basis for future long-range facility improvements. Rather, flexibility and adaptability are necessary if facilities are to be responsive and effective in the future. As a policy plan, the Police Facilities Plan as presented, recognizes the need for flexibility and sufficient facility capacity to meet changing service needs. In order to set the range of facility capacity required, the first program recommendation, on Page 36 of the report, states that the Police Department should prepare a "Police Programs" plan in which basic decisions are made regarding the range of programs to be offered in the future and the extent to which they should be offered through various police facilities. Translating programs into spacial requirements allow for specific facility planning while still maintaining long-term flexibility.

"Our Charter responsibilities call for the planning and programming of public improvements, and is principally oriented toward the physical aspects of uses, their general functional requirements, and relationship to other activities. I feel that the adoption of a police facilities plan is appropriate at this time. It fulfills our Charter directive and provides a framework for the development of Police facilities which is sufficiently flexible to accommodate operational changes as they are developed.

"Second: District stations are an important link between the community and the police, and the nine districts should be retained.

"As you know, the draft plan discussed a series of alternative district station configurations ranging from centralization to ten districts. The report suggested that seven

districts would probably be most efficient; however, public testimony indicated a strong preference for nine districts since district stations aid in bringing the police and community closer together. There was a general consensus, however, that some of the stations required replacement and might be relocated more appropriately within their service area.

"In deference to expressed community support for retaining nine districts, the nine-station configuration is recommended for inclusion as part of the Police Facilities Plan.

"Third: Police service at the neighborhood level should be more comprehensive and more responsive to neighborhood needs.

"An almost consistent theme throughout the public testimony was the reaffirmation of the importance of police service at the district station level and the call for expanding the range of services and the extent of community involvement in public safety programs.

"At the conclusion of the public hearings, it was Chief Scott, I believe, who stated that reduction in crime depends largely on community cooperation and participation in public safety and security programs. A 2,000-officer force can't do the job alone. We recognize that centralization of police services is not the way to enlist public support and cooperation; rather, decentralization of outreach programs is what is needed.

"We have introduced a new policy in the proposed plan calling for the decentralization of police services and operations that relate on a neighborhood level. Expanding and intensifying the level and range of services available at district stations will, I feel, promote community cooperation and participation in community safety programs and enhance mutual understanding and respect between police personnel and neighborhoods.

"I would like to summarize the substantive aspects of the proposed revisions to both the plan and program section which I submit to you today in memorandum form. If these revisions and the plan itself are acceptable, I recommend the plan be adopted as the "Police Facilities Section" of the Community Facilities Element of the Master Plan. I also recommend your endorsement of the program section as revised.

"The proposed revisions are as follows:

- "First: Policy 2 under, Objective One, has been revised to affirm the nine-district concept for San Francisco. An illustrative map showing the general grouping of neighborhoods under the nine-district concept is also included.
- "Second: A new policy, Policy 3, is proposed under Objective One. This policy calls for the decentralization of police services and operations that relate on a neighborhood level, and the location of these functions in district stations or other neighborhood oriented facilities.
- "Third: All references to the possible phasing out of district stations are to be deleted from the program section.

"These proposed revisions have been presented to both Commissioners Garner and Cardoza, and to Chief Scott and Captain Sully. Copies will also be mailed to our listing of neighborhood organizations for their consideration. We have scheduled a one-month review period; and, if the revised plan is acceptable, we request final consideration and possible adoption of this plan at the regular meeting of this Commission on August 29, 1974.

"I would be pleased to answer any questions at this time."

President Newman remarked that one of the implications of retaining the nine district stations was that all of the stations should be expanded to satisfy the operating needs of the Police Department.

Henrietta Abrams stated that residents of the Haight-Ashbury district want Park Station to remain exactly as it is.

After further discussion, it was moved by Commissioner Porter, seconded by Commissioner Rueda and carried unanimously that this matter be taken under advisement until the Commission's Regular Meeting on August 29, 1974.

EE74.127 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT
REPORT FOR THE PROPOSED POLICE FACILITIES
ELEMENT OF THE COMPREHENSIVE PLAN.

Selina Bendix, Environmental Review Officer, summarized the environmental impact report which had been prepared for the Police Facilities Element of the Comprehensive Plan.

Henrietta Abrams stated that people from the Haight-Ashbury district are mistrustful of City Hall's intentions regarding the Park Station; and she warned the Commission that they did not intend to have anything "put over on them".

John Bardis felt that the public hearing should be postponed until all interested parties have had an opportunity to read the Environmental Impact Report.

Commissioner Porter observed that the Environmental Impact Report for the Police Facilities Element of the Comprehensive Plan seemed to be somewhat of a preemptory thing. Dr. Bendix replied that the staff of the Department of City Planning had been of the opinion that it would be safer to proceed with the preparation of a report than to issue a negative declaration. That way, no one would be able to challenge the report on the basis that its environmental impact had not been thoroughly analyzed.

A.R. Roderick, representing the Police Community Relations Committee for the Taraval Station, hoped that the Environmental Impact Report presently under consideration would not be interpreted as covering expansion projects and new construction projects which might be proposed in the future by the Police Department. He felt that public discussion should be invited as new projects are specifically proposed.

Some members of the audience indicated that they had not received copies of the Environmental Impact Report. As a result, it was moved by Commissioner Ritchie, seconded by Commissioner Fleishacker, and carried unanimously that this matter be taken under advisement until the meeting of August 29, 1974. The Commission requested that copies of the report be made available to all interested parties.

PUBLIC HEARING ON PROPOSED REVISION OF CIVIC CENTER MASTER PLAN.

Allan B. Jacobs, Director of Planning, made the following introductory remarks:

"On June 20, 1974 the staff of the Department of City Planning presented to the Commission and to the public an amended Civic Center Plan. This proposal included an introduction, objectives,

policies and a map to guide the future development of public facilities in the Civic Center area. The map defined four broad activity categories: Administrative; Recreation-Culture; Open Space; and Parking.

"Following the presentation to the Commission, the staff distributed over 70 copies of the plan document to individuals and organizations in the city.

"The purpose of the public hearing this afternoon is to hear comments from interested citizens and organizations regarding the proposed Civic Center Plan.

"With this brief introduction, I believe we should hear what the public has to say about the proposed amendment to the Civic Center Plan."

Samuel B. Stewart, President of the Sponsors of San Francisco Performing Arts Center Incorporated, stated that he had prepared a letter under date of July 26; however, he would be prepared to read and submit the letter today if the Commission so desired. The Commission requested that the letter be read and submitted. Mr. Stewart read the letter, as follows:

"This letter is for the purpose of setting forth a proposal to assist the City of San Francisco in financing and constructing additional facilities needed to provide a complete performing arts center in the City for use by the general public. The specific and primary purposes of Sponsors of San Francisco Performing Arts Center, Inc. ("Sponsors") are to solicit contributions from other organizations and from the general public to aid in financing the construction and operation of the proposed project for the benefit of the City. Sponsors was formed in April, 1973, has obtained appropriate rulings from state and federal authorities that it is a qualified, publicly supported charitable organization, and, to date, has received assurances of donations in excess of \$1 million.

"By way of background, the need for additional facilities for cultural attractions has been recognized and has been the subject of intensive study and investigation by community groups for many years. In late 1970, Mayor Joseph L. Alioto appointed the Committee for the Performing Arts Center (The "Committee") and directed them to recommend ways and means to provide the needed additional facilities and how to finance their construction.

"The Committee correlated past studies and in 1971 had a preliminary economic feasibility report prepared. The history of the Center shows that when the War Memorial Opera House was opened to the Opera and Symphony in 1932, the total performances of those two organizations covered only approximately 13 weeks. In 1973, the Opera House was virtually 100 per cent occupied by the Opera and Symphony, leaving no mayor facility for ballet, or for other local, national and international cultural attractions which would otherwise perform in San Francisco.

"An additional performing arts building, designed to take advantage of the existing facility and supplement it, could result in a possible 250 additional performances each year, according to the 1971 survey. This could include additional performances of the San Francisco Ballet, as well as numerous high quality attractions which now bypass San Francisco. Records of the War Memorial Board of Trustees show that nearly 100 efforts to book performances into the Opera House in 1972 were unsuccessful because of space restrictions. Many booking agencies, and the Civic Light Opera, no longer contact the Opera House, recognizing the futility of the effort.

"For many years it has been recognized that lack of rehearsal space for the Opera, as well as the requirement that their stage sets be freighted to areas throughout the City, constitute a costly and impractical management problem. Construction of rehearsal space for the Opera and Symphony, would permit many additional performance dates in the Opera House. Also, construction of set storage space, adjacent to where set use is required, will permit significant operating economies. Further, while no attempt has been made to analyze and to quantify the increase in income in the City attributable to greater attendance at cultural events by residents of the entire Bay Area and increases in tourism and related hotel, restaurant and similar expenditures, these amounts are bound to be substantial.

"The plan formulated by the Committee contemplates construction of three separate projects:

"Project 1 - Mayor renovations and additions to the War Memorial Opera House which will greatly enhance its functional ability.

"Project 2 - A new major performance facility of some 3,000 seats that will provide an attractive and suitable forum for the San Francisco Symphony Orchestra, other major music attractions, dance groups, etc., within the vicinity of the present Opera House. This new building would make the Opera House available for many groups who have little access to it, such as the San Francisco Ballet and many visiting attractions which now completely bypass San Francisco. A recent study shows both halls would be much used. It should be noted, also, that the San Francisco Symphony, which now plays to sell-out houses (3200) at the Opera House, needs a hall of around this capacity; smaller, existing renovated theatres will not serve this purpose.

"Project 3 - Additional parking facilities to service these expansions.

"Sponsors proposes that Project 2 above, a new major performance facility, be constructed on the Marshall Square site which has greater potential than the original site designated by the Master Plan west of Franklin Street. Specifically, a performing arts building on Marshall Square block would:

- "1. Attractively complete a performing arts center complex within the Civic Center.
- "2. Provide a much-needed new facility that would benefit San Francisco both financially and culturally, both in the near term and long term. This includes not only the 800,000 plus people who now attend Opera, Symphony and Ballet, but the thousands of others that directly, and indirectly, benefit from the influx of money generated by this kind of activity.
- "3. Be in a location that takes best advantage of public transportation.

- "4. Have immediate feasibility. Major funds already have been set aside by the City from Federal Revenue Sharing and the majority of the remaining funding will come from private sources, thus avoiding the necessity of first mounting a large-scale public bond issue which, in today's political climate, could not be expected to win the required two-thirds vote no matter what the need or desires of a majority of the people might be.

"Sponsors believe this project is feasible and are willing to volunteer time and money to undertake it, based on the goodwill and generosity of many citizens of this City. However, it is most vital to the project that all City departments involved quickly approve the Marshall Square site for this purpose for several cogent reasons:

- "1. Before major funds are expended on specific plans, it is essential that a site be firmly committed. Much private money (more than \$100,000) has already been spent on plans for the original site behind the Opera House.
- "2. The major project of private fund raising of between \$10 and \$15 million cannot logically begin without these specific plans tailored for a specific site. It is difficult enough to raise this sum; more difficult to raise it where doubt and uncertainty are major factors.
- "3. Because of inflation, delays would mean crippling added expenses; perhaps as much as \$200,000 per month; and delay is not necessary.

"Once the Marshall Square block site is designated and set aside for this purpose (or we are given an option for a specific period of time), Sponsors for the Performing Arts Center will submit a formal letter of intent to the Board of Supervisors and other appropriate City departments, setting forth the terms and conditions we propose in assisting the City of San Francisco in financing and constructing these cultural facilities. We therefore respectfully request the San Francisco Department of City Planning to take appropriate action to designate the use of Marshall Square block for a new performing arts facility."

During the course of Mr. Stewart's presentation, Commissioner Miller arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Porter remarked that the Performing Arts Center had been in the Capital Improvement Report for a number of years' and it had been her impression that the facility would be constructed with public funds. She asked if she were correct in understanding that Mr. Stewart was telling the Commission that private and federal funding could be obtained instead.

Mr. Stewart replied that all that he could do was to give his personal pledge to try to obtain private funds. He noted that the Board of Supervisors had already appropriated 2 million dollars for the project; and approval of an additional 3 million dollars from the Board was expected. He stated that private funds in the amount of 1 million dollars had already been pledged; and he believed that it would be possible to raise an additional 10 or 15 million dollars from private sources. He advised the Commission that the cost of comparable facilities in other cities has ranged from 10 to 15 million dollars.

Rev. Timothy L. McDonnell, a member of the Library Commission, stated that construction of a Performing Arts Center on Marshall Square would completely

The first of these is the fact that the United States is a young nation, and that its history is a history of growth and expansion. The second is the fact that the United States is a nation of immigrants, and that its history is a history of the struggle for assimilation and the creation of a new American identity. The third is the fact that the United States is a nation of diverse peoples, and that its history is a history of the struggle for equality and the recognition of the rights of all citizens.

The fourth is the fact that the United States is a nation of free people, and that its history is a history of the struggle for liberty and the protection of the rights of all citizens. The fifth is the fact that the United States is a nation of peace-loving people, and that its history is a history of the struggle for peace and the avoidance of war.

The sixth is the fact that the United States is a nation of progress, and that its history is a history of the struggle for improvement and the advancement of the human race. The seventh is the fact that the United States is a nation of hope, and that its history is a history of the struggle for a better future and the realization of the American dream. The eighth is the fact that the United States is a nation of faith, and that its history is a history of the struggle for the preservation of the values and principles that have made it a great nation.

The ninth is the fact that the United States is a nation of love, and that its history is a history of the struggle for the promotion of love and the building of a more perfect union. The tenth is the fact that the United States is a nation of justice, and that its history is a history of the struggle for the establishment of a more just and equitable society. The eleventh is the fact that the United States is a nation of courage, and that its history is a history of the struggle for the defense of the rights and interests of the people. The twelfth is the fact that the United States is a nation of wisdom, and that its history is a history of the struggle for the attainment of wisdom and the promotion of the common good.

The thirteenth is the fact that the United States is a nation of strength, and that its history is a history of the struggle for the development of strength and the promotion of the national interest. The fourteenth is the fact that the United States is a nation of honor, and that its history is a history of the struggle for the preservation of honor and the promotion of the national dignity. The fifteenth is the fact that the United States is a nation of glory, and that its history is a history of the struggle for the attainment of glory and the promotion of the national fame.

stifle the growth of the Library. If the Library is not able to expand, it would be in danger of losing its designation as a regional reference center; and if that designation were lost, the city would probably lose federal grants for which it is now eligible. He indicated that he remembered past projects which had relied on funds from the private sector; and, given those experiences, he felt that Mr. Stewart was somewhat sanguine about his ability to collect 15 million dollars from the private sector for the Performing Arts Center. If he should be correct, he expected that the non-profit corporation would float bond issues to provide funds for the project. He remarked that it had been alledged that the Library has no plan for using Marshall Square; but the truth of the matter was that the consultant firm of Arthur D. Little, Incorporated had prepared a report for the Library which called for construction of a new library facility on Marshall Square. The report, which had cost \$150,000, had actually recommended various proposals for the Marshall Square site depending on the amount of money available. The Library was well aware that it would not be able to raise 15 million dollars from private sources for its expansion program. Mr. Stewart had been quoted in the San Francisco Progress as saying that he would have no opposition to passage of a bond issue for the Library but that he regarded such an occurrence as "an impossible dream." While Mr. Stewart might be right, he felt that the people should be given a chance to vote on a bond issue for the Library for construction of a new building on Marshall Square. He noted that a decision had been made not to submit the Performing Arts Center proposal to the electorate, one of the reasons being insufficient support from the neighborhoods and from ethnic minorities. Thus, the proponents of the Performing Arts Center had formed a non-profit corporation; and, in his opinion, that corporation would issue bonds to supplement the money which is being provided by the Board of Supervisors. As a result, a facility would be constructed with public funds which were used by rich people living in Hillsborough.

Commissioner Porter asked if she were correct in assuming that Rev. McDonnell was not opposed to a Performing Arts Center but was merely questioning where the facility should be located. Rev. McDonnell replied in the affirmative. He stated that he was in favor of a Performing Arts Center; however, he did not agree with the location which was being proposed.

Commissioner Fleishhacker noted that the revised Civic Center Master Plan which was the subject of the present hearing did not designate any particular piece of property for any specific use. Furthermore, the introduction to the Civic Center Plan contained the following sentence: "The plan focuses primarily on articulating the objectives and policies that should apply to future development, rather than attempting to identify specific locations for specific uses." He felt that the public hearing should be kept within the context of the plan.

Commissioner Ritchie, noting that there were a number of people present in the audience to speak on behalf of the Library and that Mr. Stewart was the

only one present on behalf of the Performing Arts Center, remarked that the Commission might have a very unbalanced hearing unless individuals were present to be heard on other aspects of the revised plan.

Commissioner Porter felt that the Commission should hear everyone who was present who wished to speak; and she remarked that Mr. Stewart could be given an opportunity for rebuttal at the conclusion of the hearing.

Rev. McDonnell noted that Mayor Alioto had already given his support to the proposed use of Marshall Square by the Performing Arts Center; and, in doing so, he had suggested that the Library could use the old Federal Building which has not even been declared surplus yet. The parking facility proposed by the sponsors of the Performing Arts Center had just been referred to the Parking Authority for a recommendation; and he felt that action was wise since there may be a surplus of parking in the Civic Center area after the completion of the Yerba Buena Center convention facilities. Given the fact that a controversy existed over use of the Marshall Square site, he felt that the Commission should resolve the controversy by designating the Marshall Square site for a public building consistent with the existing development of Civic Center and leave the final determination between a Performing Arts Center use of the site or Library use of the site up to the Board of Supervisors or the electorate.

President Newman remarked that either use of the site would be permitted by the revised Master Plan as recommended by the Director of Planning. However, if the Performing Arts Center were to obtain funds for construction before the Library can obtain such funds, he assumed that priority would be given to the Performing Arts Center. Rev. McDonnell replied that the Library Commission wished to place a bond issue on the ballot to provide funds for construction of new library facilities; and he felt that the taxpayers would get more for their tax dollars from such a facility than they would get from the Performing Arts Center. He emphasized that the Library needs more space; and he indicated that the Library, unlike the Performing Arts Center, cannot utilize property in other locations. Space for expansion of the Library must be located adjacent to the present library site. Under the circumstances, he urged that the Marshall Square site be reserved for the Library.

President Newman asked if any Master Plan designation established by the Commission for use of a particular site would be appealable. The Director replied in the negative; however, he pointed out that the Board of Supervisors, through its willingness or unwillingness to provide funds, can, in effect, overrule the Master Plan designation of the Commission.

Commissioner Ritchie, noting that Mr. Stewart had indicated that his organization has substantial funds already and was confident that additional funds

necessary for their project could be obtained in a very short period of time, asked Rev. McDonnell if he felt that the Library would be able to obtain funds for construction of a new library facility on Marshall Square within the next two or three years. Rev. McDonnell, repeating his conviction that the Performing Arts Center project would inevitably require the issuance of bonds, stated that he felt that the Library has as good a chance of obtaining approval from the Board of Supervisors for a bond issue as the Performing Arts Center. However, he did not feel that the amount of money which would be needed by the Library or the Performing Arts Center will be available in the next few years.

President Newman asked about the status of the bond issue for the Library. The Director replied that the bond issue had appeared in the Capital Improvement Program since 1967-68; however, each time that consideration had been given to placing it on the ballot, the Library Commission had requested that such action be postponed.

Mrs. Marjorie G. Stern, Vice-President of the Library Commission, advised the Commission that she and her associates had not expected to discuss anything except the proposed Master Plan revision at the present hearing; and, therefore, they were not well prepared for a discussion of the Performing Arts Center vs. the Library controversy. She personally felt that the City has a responsibility to hold the Marshall Square site for the Library, especially since the Library had already accepted more than \$1,500,000 in federal funds because of its designation as a regional reference center for all of northern California. She believed that the Commission had gone on record in 1969 citing Marshall Square as a logical site for a new library building and regional reference center; and she felt that the Commission should not renege at this point.

President Newman inquired about the present Master Plan designation of the Marshall Square site. The Director replied that the Marshall Square site is and has been designated for a new municipal courts building since 1959.

Commissioner Ritchie asked if the Municipal Courts had abandoned their claim to the site. The Director replied that he felt that the site would be better used by a recreation or cultural facility; and he stated that the courts had indicated a preference for the Commerce High parking lot site.

Kevin Starr, City Librarian, stated that he was thrilled by the possibility of a performing arts center in San Francisco; but he did not feel that the facility should be located on Marshall Square. In fact, he had been horrified when he had been advised that the promoters of that facility had expressed interest in that site, especially in view of the many hours of work and the great deal of money which had been spent by the Library on plans for a new facility on Marshall Square. He stated that San Francisco, unlike other cities, has not been

good to its libraries; and it had been hoped that a new facility on Marshall Square would allow the Library to pull itself out of its present sloth. In a democracy, citizens have an unalienable right to have information; and he believed that San Franciscans deserve to have a Library facility worthy of the international reputation of the city. However, if the Marshall Square site were to be taken away from the Library, the Library would be destroyed just at a time when it is beginning to emerge from its chrysalis. If the city had had more foresight 12 years ago, it could have saved the Fox Theater and would have had a facility which could have served as a performing arts center; and he felt that the city should be much more careful at the present time so that it does not make a decision regarding the use of Marshall Square which will signal the destruction of the Library and the loss of the City's status as a regional reference center. He hoped that both the Library and the Performing Arts Center would obtain new facilities; but he felt that the Performing Arts Center should be located on another site which would not jeopardize the future of the Library.

Commissioner Fleishhacker asked if it were really true that no site other than Marshall Square could be used for expansion of the Library. Dr. Starr replied in the affirmative, indicating that that was the distilled essence of 16 years of study by consultants and by other organizations. In reply to a further question raised by Commissioner Fleishhacker as to what other sites might have been considered by the Library, Dr. Starr replied that the old Federal Building at 50 Fulton Street and the Metropolitan Life Insurance Building downtown had both been considered and neither had been deemed acceptable. The Metropolitan Life building was especially unacceptable since its location does not encourage foot traffic and since it is not well served by public transportation.

Commissioner Ritchie asked if the Library Commission's desire to maintain the existing Library Building was the reason why it wished to expand on to the Marshall Square site. Dr. Starr replied in the affirmative and indicated that construction of modern stacks adjacent to the existing building would extend the life of the existing building by approximately 75 years. He remarked that the existing building was constructed as a "monument" with insufficient stack space; and the stacks are filled to capacity. He likened the existing building to a body which needs a living transplant.

Commissioner Ritchie suggested that it might be possible for some other agency to use the existing Library Building if the Library should move to new quarters. Dr. Starr replied that the Library's consultants had been of the opinion that there would be no other use for the building since the building is essentially just waste space. In reply to a further question raised by Commissioner Ritchie as to why the Library wished to retain the building if it is just waste space, Dr. Starr stated that the main problem with the building is

lack of adequate stack space; and he believed that the building could function effectively if new and modern stack space were to be constructed on an adjacent site. He remarked that the existing building is made-up of eight stacks, a grand staircase, rotundas, and ceremonial hallways leading no where; but he felt that it would be unfortunate to destroy such a ceremonial building.

Commissioner Porter observed that Library Commissions and City Planning Commissions change; and, even if the present members of the City Planning Commission were willing to reserve the Marshall Square site for the Public Library indefinitely, individuals sitting on the Commission in two or three years might take a different position.

Dr. Starr stated that the Library is emerging from the lethargy of its past; and he believed that it would be thriving in three or four years. Under the circumstances, he felt that the Library's ability to proceed with construction of a new building on Marshall Square would lag behind the Performing Arts Center's ability to construct a building by only two or three years at the most.

Commissioner Ritchie suggested that the Commission should concern itself with the proposed revision of the Civic Center Master Plan during the present hearing and that it should defer such matters as the specific use of Marshall Square until a later date.

Warren Hinckle, III, representing Writers, Artists and Taxpayers for Adequate Public Library in Marshall Square, felt that the Library would be prepared to propose a bond issue within one year and that it would be able to proceed with construction of a new building on Marshall Square within three or four years; and he indicated that the members of his organization supported the Library's request that the Marshall Square site be designated for Library use. He remarked that the voters had recently defeated a bond issue proposal for a Performing Arts Center; and, if Marshall Square were to be reserved for a facility of that sort rather than for expansion of the Library, he believed that a civic fight would develop. He stated that the existing library building has neither an adequate number of books

nor adequate toilet facilities; and, in fact, he regarded it as the worse public library in the United States. A consultant report which had been prepared for the Library in 1968 had concluded that Marshall Square was the only site in the Civic Center area which could be used for expansion of the Library; and the results of that report were well known to both the members of the staff of the Department of City Planning and the members of the City Planning Commission. He believed that it was wrong for the Performing Arts Center, which had been vetoed by the voters, to try to rehabilitate itself as a non-profit corporation with

city funds and city-owned property; and he was especially opposed to use of the Marshall Square site by the Performing Arts Center since such use of the site would destroy all of the planning which had been done by the Library. He urged the Commission to designate the site for library use.

Commissioner Fleishhacker asked how recently the bond issue for the Performing Arts Center was defeated by the voters. After Mr. Hinckle had replied that the bond issue had failed in 1965, Commissioner Fleishhacker remarked that he did not consider that vote to be a "recent" action of the electorate.

President Newman, noting that the staff of the Department of City Planning had recommended that the Marshall Square site be designated for recreational or cultural use, asked if that designation would be unacceptable to Mr. Hinckle. Mr. Hinckle replied in the affirmative, indicating that he felt that such a designation would result in construction of a Performing Arts Center on the site unless a big civic fight were to develop.

Mary Louise Stong, President of Friends of the Library, asked the Commission not to approve the designation recommended by the Director of Planning for Marshall Square but to continue the 1969 designation of the site for use by the Library instead. If the designation recommended by the Director were to be adopted, the Commission would, in effect, be "passing the buck" and abdicating its responsibility for long-range planning. In her opinion, one of the principal charges of the City Planning Commission should be to protect the city from expediency; and, as a result, she was upset at the Commission's concern about which party will have funds to proceed with construction on the Marshall Square site first. She advised the Commission that the studies which had been undertaken for the Library clearly outlined why the Marshall Square site is so important to the Library; and among the reasons cited in the report are the fact that no other adjacent property is available and the proximity of the site to downtown San Francisco, to public transportation, and to freeways. While Mr. Stewart had stated that 800,000 people use the Opera House each year, she advised the Commission that 1,120,000 visits area made to the Library annually.

Grace MacDuff, Co-founder of Keep Libraries Alive, felt that one of the worst things which could happen would be for a polarization to develop between the Library and the Performing Arts Center. When public hearings were held regarding use of revenue sharing funds for the Performing Arts Center, no one spoke in support of the proposal; however, many people had spoken in support of use of the funds for neighborhood cultural activities. She emphasized that revenue sharing funds come from taxpayers; and she also noted

that the Library is eligible for funds under one of the 8 categories of the Revenue Sharing Program.

William M. Malone, a member of the Library Commission, stated that a Performing Arts Center could be constructed on a site other than Marshall Square whereas the Library needs to be close to public transportation. In his opinion, construction of a new library building is of vital importance of the children of San Francisco and to self-educated people seeking technological advancement; and he felt that the new library building must be located on Marshall Square, which is a cultural hub of the city.

Richard Rynet, a coordinator for the Community Coalition for the Arts, informed the Commission that Performing Arts Centers in other cities are causing cultural organizations to go bankrupt because it has proven too expensive for them to work out of such centers. By way of example, he stated that he had been informed by an employee of the National Park Service that the annual maintenance cost for the Kennedy Performing Arts Center in Washington D.C. exceeds 6 million dollars a year. He also advised the Commission that a national Harris Poll had shown that people would be willing to be taxed an additional \$25.00 a year for the arts, but only if the arts were to be spread into the community so that they could be enjoyed by everyone. He stated that the members of his organization had persuaded the Board of Supervisors to provide 1 million dollars for neighborhoods arts programs in San Francisco; however, if the Performing Arts Center is built, he believed that all funds available for the arts for the next 10 or 15 years would have to be diverted to that project, leaving none for the neighborhoods.

Commissioner Fleishhacker, believed that what Mr. Rynet was telling the Commission was that he was opposed to the Performing Arts Center no matter where it might be located. Mr. Rynet replied that he would not be opposed to a performing arts center which would not be a burden on the taxpayers; and he indicated that his group had suggested that the Orpheum Theater should be rehabilitated so that it could be used as a performing arts center.

Richard Watson, representing the Urban Design Committee of the Northern California Chapter of the American Institute of Architects, stated that he regarded the revised document being recommended for adoption by the staff of the Department of City Planning to be a policy statement rather than a Master Plan; and he stated that the members of his organization had no basic disagreement with the proposed policies. With regard to the issue of Marshall Square, he remarked that it appeared that the Library should expand onto an adjacent site; and, since the Library is more heavily used than the Performing Arts Center would be, it seemed that the Library should be retained as a vital use in the center of the city. He indicated, however, that expression of that opinion was not intended to take away from the importance of the Performing

Arts Center. He remarked that countless studies have emphasized the importance of the Fulton Mall from City Hall to Market Street; however, he felt that the Civic Center Master Plan should call for visual improvement of the eastern end of the mall. A number of blocks around the periphery of the Civic Center were designated for "administrative" use; but the specific type of uses being considered were not explained in the document. He felt that more ancillary support facilities, such as restaurants, should be encouraged in those areas. While Objective I, Policy 5 of the revised Master Plan Element would provide that existing streets should be maintained, the members of his organization were not convinced that all streets in the area should necessarily be maintained in their present form. However, they did agree with the concept that existing streets should be maintained as open-space corridors.

Barney Gould, an independent planner, noted that the revised Master Plan document would designate both the Orpheum Theater and Nourse Auditorium for administrative use; and he wondered why that designation had been chosen instead of "recreational-cultural". He advised the Commission that the proposed facility referred to as a "performing arts center" would actually be a symphony hall and rehearsal space; yet, what the city actually needs is a performance hall. If a performance hall were to be constructed, it would not have to be located on Marshall Square but could be constructed just as easily on the Commerce High parking lot which is located adjacent to the opera house. He felt that the Orpheum Theater should be recognized as a valuable cultural asset; and he believed that the block bounded by Market, Larkin, and Grove Streets, which is ugly at the present time, should be incorporated into the civic center. In fact, that block, which is privately owned, could be a potential site for the Performing Arts Center.

Commissioner Porter asked Mr. Stewart if the staff proposal to designate the Marshall Square site for recreational or cultural use would give him and his associates the latitude they would need to raise funds for the Performing Arts Center.

Mr. Stewart replied that he had stated at the beginning of the meeting that he had no objection to the revisions which were being proposed in the Civic Center Master Plan; however, he had also indicated that he had intended to ask the Commission to specifically designate the Marshall Square site for the Performing Arts Center after the Master Plan has been amended. However, having heard the other speakers who had addressed the Commission, he had changed his mind and was now of the opinion that designation of the Marshall Square site for recreational or cultural use would not be acceptable since he could not ask for money on the mere possibility that the Marshall Square site might be designated for the Performing Arts Center at some indefinite future date.

He stated that he had no personal objection to expansion of the Library; however, he noted that the revised Master Plan document would also designate the block to the north of the Library for cultural use; and he did not understand why the Library could not expand in that direction rather than to the South. Contrary to the statement made by one of the previous speakers, the Performing Arts Center would not be a "palace for the rich". He advised the Commission that more than 70 thousand college students attend the opera in San Francisco each year; and he felt that San Francisco must have the facilities necessary to present the best talent available. He assured the Commission that the proposed Performing Arts Center would be a true community facility. He stated that he was not positive that he would be able to raise money for the Performing Arts Center. Yet, he noted that both the symphony and the opera have acquired substantial endowments; and he indicated that he intended to approach some of the people who had given money to those organizations to see if they would contribute to the Performing Arts Center, also. He emphasized, however, that he could not solicit funds unless Marshall Square is specifically designated for use by the Performing Arts Center.

The Director remarked that almost nothing which the Commission had heard during the course of the hearing related to the issue at hand. Even those individuals who had asked the Commission to "retain" designation of Marshall Square as a Library site had not addressed themselves to the issue because the Master Plan presently designates the site for a courts building and not for a library facility. Some of the comments made by the representative of the Northern California Chapter of the American Institute of Architects had been pertinent to the issue; and he indicated that he would respond to them later. Mr. Gould had suggested that the Orpheum Theater and Nourse Auditorium should be designated for "recreational or cultural" use instead of for "administrative" use; but the revised Master Plan would permit either category of use. Mr. Jacobs observed that the privately-owned block occupied by the Orpheum Theater had been designated for administrative use as well as recreational or cultural use. Studies and plans which had been prepared for the Library had been very dramatically displayed in the meeting room. He remarked that planners are usually accused of preparing plans which only gather dust on shelves; but it appeared that the Department of City Planning had been equaled if not out-done by the Library in that regard. Several speakers had claimed that designation of the Marshall Square for one specific use would ultimately destroy another institution which wishes to use the property. However, in the history of cities and institutions and their development, such results are rarely observed. Expressions of such feelings usually reflect people's predisposition with buildings rather than with programs, a phenomenon which he termed as an "edifice complex." If it were true that an institution could be so dependent on the availability of a particular site, that institution would probably be in an extremely precarious position in any case. While he recognized that the existing library

building may be totally inefficient, he felt that a solution which would result in 2 libraries facing the Civic Center might be very questionable. With regard to the issue of "polarization", he felt that it was obvious that polarization already existed through no fault of the Department of City Planning. One speaker had claimed that the City Planning Commission, in adopting the revised Master Plan recommended by the staff, would be abrogating or not living up to its responsibilities; however, he felt that the best way to approach the Library issue would be by way of a Master Plan element dealing with the subject; and, in that regard, he stated that the Department of City Planning had attempted a co-operative effort with the Library staff aimed at development of a master plan for the Library. However, after a very considerable amount of work, the project was postponed and abandoned, basically because the library staff at that time did not want to pin itself to policy. Nevertheless, the staff of the Department of City Planning would still be willing to live up to its responsibilities and to co-operate with the Library in the preparation of such a document. Still, the fact of the matter was that no master plan had been prepared for the Library; and the Commission was now being faced with a direct confrontation in which two parties were asking for designation of a specific parcel of property for a specific use. The planning process, given a reasonable amount of time and a headstart, might have prevented such a situation. But the situation had developed; and, being faced with it, all that the community can do is to make the best decision possible under the circumstances. He recommended that the draft of the revised Civic Center plan, together with the amendments which he had proposed at the beginning of the hearing, be adopted by the Commission.

Commissioner Ritchie suggested that it might be possible to provide space for the new construction of a new library facility by closing streets in the Civic Center area. Using that approach, the city could have a new library facility as well as a new performing arts center. He asked if the revised Civic Center Plan would leave open the possibility for such an approach. The Director replied in the negative, emphasizing that the Plan speaks to the importance of maintaining the streets for open space and for the vista which they provide, especially along the Fulton Mall. He felt very strongly that that open space should not be intruded upon.

Commissioner Ritchie then asked if the block bounded by Van Ness Avenue, Hayes, Franklin, and Grove Streets, commonly known as the Commerce High parking lot, could be regarded as an alternate site for the Performing Arts Center. The Director replied that he would regard that site as a suitable location for the Performing Arts Center; however, he emphasized that that property is owned by the Board of Education.

Commissioner Ritchie asked Mr. Stewart if he and his associates had considered the Commerce High parking lot as a possible site for the Performing Arts Center. Mr. Stewart replied in the affirmative but indicated that they had been told that the site would not be available. In reply to further questions raised by Commissioner Ritchie, Mr. Stewart stated that he would regard the Commerce High site as a suitable location for the Performing Arts Center if it were available; however, he felt that construction of the Performing Arts Center on Marshall Square would be desirable since it would result in the completion of the Civic Center; and that site would be preferable for the Performing Arts Center since it is located between a BART station and an under-utilized garage.

Commissioner Ritchie asked if the revised Master Plan would permit use of the Commerce High site by the Performing Arts Center. The Director replied in the affirmative.

The Director recommended that the word "library" be added to the definition of the term "entertainment-cultural" in the revised plan.

Commissioner Rueda asked what would happen if the Commission should designate a specific block for a specific use. The Director replied that nothing would happen until a specific use is proposed. At that point, the staff would review the use and make a recommendation to the Commission as to whether the use would be in conformity with the Master Plan.

President Newman remarked that the action being proposed by the Director was for the Commission to designate Marshall Square for recreational or cultural use. Yet, if that action were taken and if a Master Plan referral or referrals were to be brought before the Commission in two or three weeks for a determination as to whether construction of a Library or a Performing Arts Center, or both, on the Marshall Square site would be appropriate, the Commission would be faced with a final decision at that point. The Director replied that the Commission could also state that both projects would be in conformity with the Master Plan but that one project was preferable.

Commissioner Ritchie asked why Mr. Stewart had been told that the Commerce High School site is not available. The Director replied that the ownership and control of the property is somewhat in dispute; and the Board of Education, which has claimed title to the property, has been unwilling to dispose of it.

Commissioner Miller explained that both the school district and the city have claimed ownership of the property; and the matter has never been settled in the courts. He also indicated that previous school boards had stated a

willingness to cooperate with the city in a mutual project on the site. After further discussion, it was moved by Commissioner Fleishhacker and seconded by Commissioner Ritchie that the revised Civic Center Plan, as recommended by the Director of Planning, be adopted. When the question was called, the Commission voted unanimously to adopt Resolution No. 7216 and to adopt the revised Civic Center Master Plan as recommended by the Director of Planning.

The meeting was adjourned at 6:00 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

355
#10
8-1-74
SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, August 1, 1974.

The City Planning Commission met pursuant to notice on Thursday, August 1, 1974, at 1:45 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; George Carey, Mortimer Fleishhacker, Thomas G. Miller, and John Ritchie, members of the City Planning Commission.

ABSENT: Hector E. Rueda, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Wayne Rieke, Planner IV (Zoning); Carl Ness, Planner III; Charna Staten, Planner III; Wilbert Hardee, Planner III; Douglas Holmen, Planner II; Russell Watson, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Miller, and carried unanimously that the minutes of the meeting of July 18, 1974, be approved as submitted.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table. Commissioner Miller, who had been present to provide the Commission with a quorum, absented himself from the meeting room for the remainder of the meeting.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, read the following statement:

"As outlined to the Comprehensive Plans Committee on June 13, 1974, the Department of City Planning is currently undertaking work leading to the development of a Commerce and Industry Element of the Comprehensive Plan. The purpose of the plan element will be to set forth basic economic objectives, to establish land use policies for different areas of the city, and to provide direction for future development, public investment, and program strategies. Once completed, this element will constitute the last major revision of the City's Comprehensive Plan.

"In developing a departmental work program for this project, we noted two general areas where the professional services of consultants

would be needed:

- "1. to assist the Department in generating and analyzing data on the local and regional commercial/industrial market and San Francisco's competitive position; and
- "2. to assist the Department in analyzing the feasibility, cost-effectiveness, and impact of alternative development approaches which might be taken in the various commercial and industrial areas of the city. A total amount of \$45,000 is currently available from 701 Funds for the study.

"Pursuant to securing the necessary professional services to complete the project, a Request for Proposal was sent out by the Department to thirteen consultant firms, which in the judgment of staff, could best provide the necessary expertise to sufficiently complete the study. Of these firms, a total of six proposals were received for evaluation. After an initial staff evaluation, the top three proposals were selected and the firms interviewed by staff to clarify matters concerning the proposals and to assist staff in determining which of the finalists was best qualified to undertake the study.

"On the basis of this analysis, it is our opinion that Arthur D. Little, Inc., ranks highest among the consultants in terms of:

- "1. understanding of the research problem and desired product;
- "2. usable prior experience; and
- "3. staff capabilities.

"I am therefore requesting authority to enter into an agreement with Arthur D. Little, Inc., to perform the consultant services I have described."

During the course of the Director's presentation, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

President Newman asked how the results of the proposed study would be used by the staff of the Department of City Planning. The Director replied that the staff would use the data provided by the consultants in formulating policies for commercial and industrial land use. In reply to a further question raised by President Newman, the Director stated that the Commerce and Industry Element of the Master Plan would relate to commercial areas downtown as well as to commercial areas in the neighborhoods.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7217 be adopted and that the Director be authorized to enter into and to

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execute an agreement with Arthur D. Little, Incorporated, to undertake a commercial and industrial study of San Francisco.

The Director noted that Commissioner Fleishhacker had previously inquired about the effectiveness of the bus platforms which have been constructed on Polk Street; and he called on Charna Staten to report on that matter. Ms. Staten stated that the platforms had been installed on a trial basis in May; and both the Municipal Railway and the Department of Public Works had been studying their effectiveness. The Municipal Railway had interviewed drivers who have been on the Polk Street route before and after installation of the platforms, and had found that they were overwhelmingly in favor of the platforms because the platforms make it easier for elderly people to get in and out of buses, because the platforms have made it more difficult for people to park in bus zones, and because it is easier for the drivers to see passengers on the platforms. A spokesman for the merchants group had indicated that they had received no negative comments concerning the platforms; however, they had requested that trees be planted on the platforms and that better signing be provided. Studies had also been made of travel times; and it appeared that the platforms had not speeded up the runs. Consideration is presently being given to alternate methods of permanent construction; and a solution to drainage problems is being sought. Ms. Staten expected that a final decision on whether to install the platforms on a permanent basis will be made next month.

Commissioner Fleishhacker asked if automobile traffic is being held up because of the platforms. Ms. Staten replied that the platforms have not appeared to make a great deal of difference in that regard. She indicated that some of the merchants had suggested that the platforms might be placed on the far side of the intersection; however, any automobiles caught behind a bus stopped at a platform would then block traffic in the intersection.

The Director noted that the newspapers had reported that the State is beginning to acquire property for the new Candlestick Cove Park.

The Director reported that the Board of Supervisors, meeting on Monday, had sustained the Commission's approval of a board and care home at 2877 Turk Boulevard by a vote of 9 to 2. At the same meeting, the Board had unanimously overruled the Commission's disapproval of a portion of the application calling for neighborhood-wide zoning reclassifications in the Inner-Sunset District.

Commissioner Porter noted that the population of San Francisco has declined; and she expressed concern about the possibility that the "down zonings" being approved by the Board of Supervisors might leave no room for growth in the city. She asked how many building permit applications had been processed by the Department of City Planning during the first six months of 1974 as compared to the same period in 1973. The Director stated that 3,281 permits had been processed by the Department during the first six months of 1973 and that 2,993 permits had been processed during the first six months of 1974. Therefore, the number of permits processed was 288 less in 1974 than in 1973, indicating a decrease of approximately 10%. He felt that the decrease was probably due as much to the state of the national economy as anything else.

1. The purpose of this document is to provide information regarding the security of the system.

2. The system is designed to protect the confidentiality of the information stored within it. This is achieved through the use of encryption and access controls. The system is also designed to detect and prevent unauthorized access to the information.

3. The system is designed to be secure against attacks from both internal and external sources. This is achieved through the use of firewalls, intrusion detection systems, and other security measures. The system is also designed to be resilient to attacks, meaning that it can continue to operate even if it is attacked.

4. The system is designed to be easy to use and maintain. This is achieved through the use of a simple and intuitive user interface, and through the use of standard operating procedures for maintenance and troubleshooting.

5. The system is designed to be scalable, meaning that it can be expanded to accommodate additional users and data as needed. This is achieved through the use of a modular architecture and through the use of cloud-based services.

6. The system is designed to be compliant with applicable laws and regulations. This is achieved through the use of a robust security framework and through the use of regular security audits.

7. The system is designed to be reliable, meaning that it can be relied upon to provide accurate and consistent information. This is achieved through the use of redundant hardware and software components, and through the use of rigorous testing and quality control procedures.

8. The system is designed to be flexible, meaning that it can be adapted to meet the changing needs of the organization. This is achieved through the use of a modular architecture and through the use of a flexible security framework.

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Commissioner Porter asked if there were any way of comparing the number of dwelling units proposed in each six month period. The Director replied that such data would be difficult to obtain. However, he indicated that it would be possible to determine how many dwelling units were completed during each six month period.

The Director asked the members of the Implementation Committee if they would like to change the regular date of their meetings from the Friday before the first Thursday of each month to the last Thursday of each month at 12:00 Noon. The Committee replied in the affirmative. The Director stated that he would bring that matter before the Commission in the form of a proposed rule change next week.

The Director reminded the City Wide Comprehensive Plans Committee (Commissioners Newman, Mellon, Ritchie) of the meeting scheduled next Thursday, August 8, at 12:00 Noon.

The Director informed the members of the Commission that the Regular Meeting next Thursday will begin at 1:30 p.m. in Room 282, City Hall.

EE74.136 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE DEPARTMENT OF CITY PLANNING RELATIVE TO A PROPOSAL TO CONSTRUCT A 41-UNIT APARTMENT BUILDING AT THE SOUTHEAST CORNER OF DOLORES AND 17th STREETS.

Wilbert Hardee, Planner III, reported on this matter and advised the Commission that the Mission Planning Council, which had filed the appeal, had also requested that the Commission conduct a discretionary review of the building permit application for the proposed project.

No one was present in the audience to address the Commission on this matter.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7218 be adopted finding that the proposed project could not have a sufficient effect on the environment and affirming the negative declaration issued by the Department of City Planning.

Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the request for discretionary review be denied.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CU74.34 - 998 EGBERT AVENUE, CONSISTING OF TWO BLOCKS BOUNDED GENERALLY BY EGBERT AND DONNER AVENUES AND FITCH AND DONAHUE STREETS. REQUEST FOR AUTHORIZATION TO CONTINUE USE OF THE PROPERTY FOR AUTOMOBILE WRECKING IN AN OPEN YARD FOR TWO ADDITIONAL YEARS; IN M-1 AND R-2 DISTRICTS.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of two blocks each having an area of 120,000 square feet. He stated that one of the blocks is used by the Tow Car Association for storage of inoperable or abandoned vehicles pending recovery by owners, sale for dismantling, or removal for salvage. The second block is a non-conforming industrial yard used for vehicle storage and automobile wrecking. The applicant was requesting permission to extend the present use of the property for two years.

Graham Brown, representing the Tow Car Association, advised the Commission that his organization operates under a city contract. He stated that the Police Department removes approximately 600 vehicles from city streets each month; and approximately 80% of those vehicles are eventually wrecked. As of May 1, his organization had more than 1400 vehicles on their lots awaiting clearance; and he emphasized that storage of such a large number of vehicles requires property with a minimum of 200,000 square feet of area available. He advised the Commission that his organization had purchased expensive crushing equipment which produces a minimum amount of noise; and, as a result, the use is not a nuisance in its present location. He estimated that approximately 3 or 4 months work would have to be done on any new site to be utilized by the Tow Car Association; and he expected that it would take at least six months to clear the present lot. In conclusion, he stated that it is unlikely that any work will take place within the next five years on the property in the vicinity which is to become the new State Park.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that the application be approved subject to 10 specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. He then summarized the conditions, emphasizing that Condition No. 9 would limit the authorization to a period of one year and would require that all vehicles, parts, and fences and equipment shall be removed by the applicant and the site cleared of debris by the date of termination of the conditional use authorization.

President Newman remarked that members of the Commission, in visiting automobile wrecking yards on field trips, had observed that streets and property adjacent to many of the wrecking yards are often littered with debris even though the yards themselves may be well maintained; and he asked if there were anything that the applicants could do to control such littering. Mr. Brown replied that he was aware of the problem; however, given the character of the area, he doubted that much could be done.

Commissioner Ritchie, stating that he is very familiar with the area, concurred with Mr. Brown. He stated that lawlessness rules in that district of the city; and the city has apparently been unwilling to do anything about it. He was hopeful, however, that development of the new State Park will aid in improving the situation.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Brown replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be approved as City Planning Commission Resolution No. 7219 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU74.38 - 2445 OCEAN AVENUE, SOUTH LINE, APPROXIMATELY 240 FEET EAST OF JUNIPERO SERRA BOULEVARD.
REQUEST FOR AUTHORIZATION TO CONVERT THE EXISTING MEDICAL OFFICE BUILDING TO AN ANIMAL CLINIC FOR THE TREATMENT AND SURGERY OF CATS; IN A C-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which contains a vacant one-story medical office building with approximately 1,860 square feet of floor area. The applicant had contracted to purchase the property subject to approval of the Conditional Use application. Mr. Steele stated that a negative declaration had been issued on July 5, 1974, and had not been appealed.

Dr. James B. Smith, the applicant, stated that he hoped to open a cat hospital in the building if the Conditional Use application were approved by the Commission. Since the hospital would be operated exclusively for cats, it would not generate any noise, odors, or sidewalks messes. Any dead animals would be kept in a freezer and disposed of commercially.

President Newman asked the applicant if he operates a cat hospital at the present time. Dr. Smith replied in the negative, indicating that he has been involved with both dogs and cats.

President Newman then asked how many vehicles would be drawn to the site by the proposed use. Dr. Smith replied that he felt he would generate less vehicular traffic than the four doctors who had occupied the building previously.

James Thurston, 360 Moncada Way, stated that his objection to the application, if any, would be related to noise; however, he noted that the applicant had assured the Commission that the proposed facility would be very quiet. He stated that the neighborhood already has a veterinary clinic which treats dogs; and, while that clinic is not too objectionable, it is

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not too nice either. He expected that doctors housed in adjacent buildings would have objected to the proposed use; but he did not see them represented in the audience.

President Newman stated that letters had been received in opposition to the application from Louis Maraviglia, DDS; Frank S. Dias, DDS; Richard A. Koch, MD; Henrietta Gillenwater, Citizen OAS Services with the Department of Social Services; Q.C. Danielski, DDS; and Lewis T. Ray, MD. A letter had been received in support of the application from Lynne Homeres, 133 Kingston Way.

Mr. Steele recommended that the application be approved subject to nine specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended adoption of the draft resolution.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Smith replied in the affirmative.

Commissioner Fleishhacker, noting that Condition No. 6 of the draft resolution specified that "the boarding of animals in such structure shall be prohibited except in the case of the emergency treatment of cats when overnight care is required", remarked that overnight care of cats as part of the normal course of treatment could not always be regarded as an "emergency"; and he suggested that the word "emergency" might be deleted from the condition.

Allan B. Jacobs, Director of Planning, stated that the intent of the staff was that no boarding of animals should take place in the facility. He indicated that he would be prepared to revise the language of the condition accordingly.

President Newman advised Mr. Thurston that he should contact the Department of City Planning if he finds that the conditions established by the Commission are not being met.

After further discussion, it was moved by Commissioner Ritchie and seconded by Commissioner Fleishhacker that Condition No. 6 of the draft resolution be amended and that the draft resolution be adopted.

Commissioner Porter stated that she intended to vote against the motion. While she recognized that the subject property is zoned C-2, she sympathized with the concerns which had been expressed by the doctors who had written in opposition to the application and felt that it might be unwise to approve a cat hospital immediately adjacent to clinics for the treatment of human beings, particularly insofar as the Department of City Planning has little ability to enforce conditions which are established by the Commission.

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Commissioner Fleishhacker stated that it was his feeling that the doctors who had written in opposition to the application were unduly alarmed by the proposed use. After all, cats are domestic animals who lived with people.

When the question was called, the Commission voted 4 to 1 to adopt the amended draft resolution as City Planning Commission Resolution No. 7220. Commissioners Carey, Fleishhacker, Newman, and Ritchie voted Aye; Commissioner Porter voted No.

CU74.39 - PIER 2, EMBARCADERO, EAST LINE, APPROXIMATELY 400 FEET EAST OF THE INTERSECTION OF MISSION STREET AND THE EMBARCADERO.
REQUEST FOR AUTHORIZATION TO CONVERT AND ENLARGE THE EXISTING OFFICE BUILDING TO A BAR AND RESTAURANT, A USE WHICH REQUIRES CONDITIONAL USE REVIEW BECAUSE IT IS NOT DIRECTLY RELATED TO THE CONDUCT OF WATER-BORNE COMMERCE OR NAVIGATION; IN A C-2 DISTRICT AND IN NORTHERN WATERFRONT SPECIAL USE DISTRICT NO. 1.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has an area of approximately 5,100 square feet at the end of Pier 2. He stated that the property contains a vacant one-story building which has an area of approximately 2,016 square feet. The applicant was requesting permission to convert the existing vacant building to use as a restaurant and bar and to add an 832 square foot kitchen as well as a 1,480 square foot uncovered deck.

Charles Stinson, the applicant, stated that the proposed restaurant would be small and that it would cater to people who work in the area. He indicated that the Port Commission was anxious to see such a restaurant established, particularly for the convenience of people who work in the Ferry Building and who wish to buy their lunches in the area.

Commissioner Fleishhacker asked the applicant if he is in the restaurant building at the present time. Mr. Stinson replied that he and his brother currently operate a bar on Clement Street. In reply to further questions raised by Commissioner Fleishhacker, Mr. Stinson stated that the Port Commission had granted a five year lease on the property which could be cancelled by the Port Commission if a more substantial development of the site is proposed. He stated that he and his brother intended to undertake only minor improvements involving construction of a new kitchen, a deck, and landscaping of the site; and he displayed a rendering of the proposed project. He stated that there is no need for additional parking for the restaurant since the people who would be using the facility are already working in the area.

No one else was present to speak in favor of or in opposition to the subject application.

Mr. Steele recommended that the application be approved subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended adoption of the draft resolution.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Stinson replied in the affirmative.

After further discussion, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7221 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU74.40 - 1824 EDDY STREET, NORTH LINE, 113.5 FEET EAST OF DIVISADERO STREET.
REQUEST FOR AUTHORIZATION TO CONVERT THE EXISTING RECTORY TO A BOARD AND CARE HOME; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which contains a 5,870 square foot, two-story building, which previously served as a rectory for the adjacent church. He stated that the applicant, Catholic Charities of San Francisco, proposed to establish a shelter care facility providing temporary care for 12 to 14 dependent and neglected boys ages 6 to 16 as well as a family and children's social service office serving the residents of the Westside neighborhood of San Francisco. He stated that a negative declaration was issued on July 12, 1974, and was not appealed.

Gerald Cox, representing Catholic Charities of San Francisco, stated that some residents of the neighborhood had expressed concern about vandalism and property damage caused by boys in the area; but he assured the Commission that the boys under the care of his organization would have twenty-four hour supervision.

No one was present to speak in opposition to the applicant.

President Newman stated that the Commission had received 14 letters in favor of the application.

Mr. Steele recommended that the application be approved subject to 8 specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended adoption of the draft resolution.

President Newman noted that Condition No. 2 of the draft resolution specified that the home would be authorized for the care of not more than

14 "persons" whereas the application had requested approval of a home for "boys". Mr. Cox stated that the building would be used for the housing of boys.

President Newman requested that Condition No. 2 of the draft resolution be changed to specify that the authorization was for the care of not more than 14 "boys".

Commissioner Fleishhacker, noting that the applicant also wished to use the building as a family and children's social service office, asked if the office use could be authorized as part of the present application or if a separate application would have to be filed. He remarked that the office use was not mentioned in the draft resolution.

Mr. Steele stated that the use exists at the present time and could be granted conditional use authorization under the present application since it is an eleemosynary use. He indicated that the draft resolution could be modified to be more specific in terms of approving that use of the building.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Cox replied that he was concerned about Condition No. 5 which stated that no sign shall be placed on the subject property. He advised the Commission that social workers and other visitors would be coming to the building; and he felt that it was important to have a visible address. When board and care homes are occupied by permanent residents, identifying signs are not affixed to the building; however, in the present instance, the boys housed in the facility would be committed to the care of his organization and would remain for periods of time ranging from over-night to a maximum of 3 months.

Mr. Steele remarked that all resolutions approving board and care homes which have been adopted by the Commission have contained a condition prohibiting signs in residential districts. The purpose of that provision is to make the board and care homes blend into the neighborhood. He doubted that anyone would experience any difficulty in finding the subject building; and he felt that the provision against signs should be included in the resolution.

Commissioner Porter remarked that the subject building would house not only a board and care home but offices as well; and she did not feel that placement of a small identification sign on the front of the building would be detrimental to the neighborhood.

Allan B. Jacobs, Director of Planning, recommended that the condition be amended to permit the installation of one identifying sign with a maximum area of one square foot on the front of the building.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the draft resolution as modified, be adopted as City Planning Commission Resolution

No. 7222 and that the application be approved subject to the conditions which had been recommended by Mr. Steele, as amended.

At 3:35 p.m. President Newman announced a 10 minute recess. The Commission reconvened at 3:45 p.m. and proceeded with hearing of the remainder of the agenda.

EE74.113 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE DEPARTMENT OF CITY PLANNING RELATIVE TO A PROPOSAL TO EXPAND THE KATHERINE BURKE SCHOOL ON CALIFORNIA STREET AT 32ND AVENUE. (CONTINUED FROM MEETING OF JULY 25, 1974).

President Newman read the following letter which had been received from Clyde W. Stitt, Attorney for the Lincoln Park Homeowners Association:

"Representatives of the Lincoln Park Homeowners Association and the Katherine Delmar Burke School have been engaged in special negotiations regarding the above-referenced project for some time. An Agreement has been prepared which has received a preliminary approval of both parties and will, in all probability, be executed very soon.

"As a result of the apparent support for the aforementioned agreement, and as an expression of good faith on the part of the Lincoln Park Homeowners Association, the above-referenced appeal is hereby withdrawn."

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the request for withdrawal of the appeal be approved.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CU74.41 - PROPERTY BOUNDED BY EVANS STREET, DAVIDSON STREET, RANKIN STREET AND THE SOUTHERN-EMBARCADERO FREEWAY. REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION; IN AN M-2 DISTRICT.

President Newman stated that the Commission had received a letter from Jack Tufts, President of San Francisco Industry and Merchants Association, Incorporated, as follows:

"S. F. Industry & Merchants Association request that the hearing for auto wrecking operation at Evans Street bounded by Davidson Street - Rankin Street, and the Southern Embarcadero Freeway: Lot 1 in Assessor's Block 5228, be postponed for a period of thirty (30) days in order to give the Association ample time to study the proposal for application.

"The S. F. Industry & Merchants Association are concerned about the fact that several wrecking operations are locating in the same area.

"The S. F. Industry & Merchants Association only heard about the hearing scheduled for August 1, 1974 on Monday, July 29, 1974. This does not give us the necessary time needed to discuss and study this application."

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 350 foot frontages on both Evans and Davidson Streets and a 200 foot frontage on Rankin Street for a total area of 7,000 square feet. The subject property is an open fenced yard containing a small office building and several one-story storage buildings which are used by a building wrecking contractor to store his equipment. The applicant, who had made an agreement with the State of California to lease the property, proposed to establish an automobile dismantling and parts sales business on as much of the subject site as his business warrants. Initially, the applicant would use approximately half of the property fronting on Davidson Street; however, he is negotiating with the current tenant for use of the entire block. The applicant had recently relocated his business to 1095 Underwood; however, that site had proven unsatisfactory for him because it is too small.

President Newman asked the applicant if he objected to the postponement which had been requested by Mr. Tufts. Harold D. Cutler, Attorney for the applicant, stated that his client is paying \$620 a month rent for the property; and, as a result, the postponement would be costly. He also advised the Commission that his client is a member of the Board of Directors of the San Francisco Industry and Merchants Association, Incorporated; and he indicated that Mr. Tufts had not realized that his client was the applicant.

Mr. Tufts was not present in the audience.

Mary Jane Scharff stated that the San Francisco Industry and Merchants Association had first heard of the subject application on Monday; and, while no one was saying that the organization would request denial of the application, she felt that it should at least have an opportunity to study the proposal.

Commissioner Fleishhacker asked if any of the members of the San Francisco Industry and Merchants Association, Incorporated, owns property in the area. If so, they would have received a written notice of the Commission's hearing.

Murray Cole, a Vice President of the San Francisco Industry and Merchants Association Incorporated, stated that he had received a notice of the hearing last Friday. He indicated, however, that he was not personally opposing the application.

Commissioner Fleishhacker, remarking that the letter which had been received from Mr. Tufts stated that "the association" was requesting the postponement, asked if the Board of Directors of the association had actually met to discuss the matter. Mr. Cole replied that the Board of Directors had met on the previous Thursday evening; however, the matter of the automobile wrecking yard had not been discussed.

Commissioner Ritchie pointed out that the Board of Directors could have called a special meeting when they learned of the application. He noted that the Commission had already approved several automobile wrecking yards in the area east of the railroad tracks and west of Third Street; and he observed that there seemed to be no other area in the city where such uses can be located. Under the circumstances, he felt that the Commission should proceed with the hearing as scheduled.

After further discussion, President Newman announced that it was the consensus of the Commission to proceed with the hearing.

Mr. Cutler felt that the subject property is well located for the proposed use; and he hoped that the application would be approved by the Commission.

President Newman remarked that the Commission had observed that areas around many existing automobile wrecking yards are quite littered; and, while he realized that wrecking yard operators have no control over adjacent properties, he asked if the applicant would be willing to agree to contact the proper authorities whenever debris is left in the area so that prompt action can be taken.

Michael Garza, the applicant, advised the Commission that the area in the vicinity of his present yard used to be used as a dump. However, after he had planted flowers around the site, dumping had taken place on only one occasion. He regarded his present yard as the cleanest automobile wrecking site in town.

No one was present to speak in opposition to the application.

Mr. Steele stated that the planner who is responsible for liaison with the subject neighborhood had contacted groups in the area which had indicated that they were in favor of the application and had said that they would send letters to the Commission; however, the letters had not been received. He recommended that the application be approved subject to eleven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Cutler replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7223 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU74.43 - AN "L" SHAPED PARCEL OF PROPERTY CONSISTING OF 1) 2829 CALIFORNIA STREET, SOUTH LINE, 110 FEET WEST OF DIVISADERO STREET AND 2) 19933-35 DIVISADERO STREET, WEST LINE, 110 FEET SOUTH OF CALIFORNIA STREET.
REQUEST FOR AUTHORIZATION FOR AN AMBULANCE SERVICE TO HOUSE 10 AMBULANCES WITH VEHICULAR ACCESS FROM BOTH CALIFORNIA AND DIVISADERO STREETS; IN A C-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 55 foot frontage on California Street and a 27.5 foot frontage on Divisadero Street with a total area of 10,587.5 square feet. He stated that the subject property is essentially a vacant lot, having the remaining foundation of a burned structure on the California Street frontage and a billboard and fence on the Divisadero Street frontage. Ingress to the proposed two-story structure would be by way of a sloping ramp on California Street; and egress from the building would be by way of a street level driveway on Divisadero Street. Mr. Steele stated that an application similar to the current proposal had been approved by the Commission on May 21, 1970; however, since construction of that facility had not been commenced within three years of that date, the authorization had lapsed. He stated that a negative declaration had been issued on July 12, 1974, and had not been appealed.

Rene Louis Cardinaux, architect for the applicant, stated that the proposal presently before the Commission was essentially the same as the proposal which had been approved in 1970 except for some modifications which had been made in the plans for the building because of rising construction costs. He regarded the subject site as an ideal location for the proposed use; and he felt that the facility would be an asset to the immediate area as well as to the city as a whole. In reply to a question raised by Commissioner Fleishhacker as to the nature of the activity of the ambulance service, Mr. Cardinaux replied that most of the ambulances are usually in the field and are notified of emergencies by radio.

Richard Agotti, the applicant, stated that he had operated an ambulance service in San Francisco for 19 years. His operation is presently housed one block from Mt. Zion Hospital at 2115 Sutter Street. His ambulances are used for convalescent transfers, emergency work, and for moving people to and from hospitals.

Commissioner Fleishhacker, noting that the subject property, which is commercially zoned, is located immediately adjacent to residential areas,

asked how often ambulances would be going in and out of the proposed building. Mr. Agotti replied that most of the ambulances are in the field during the daytime and are contacted by two-way radios. During the night, three of the ambulances are in the field; and the remaining seven ambulances usually leave the building on a staggered basis from 6:00 a.m. to 10:00 a.m.

Commissioner Porter remembered that extended hearings had been held on this matter in 1970; and she wondered why the applicant had not proceeded to construct the facility once he had obtained permission from the Commission. Mr. Agotti replied that he had not been able to obtain financing before the original authorization had expired. However, he now had a loan commitment and was prepared to proceed with construction of the building.

Commissioner Ritchie recalled that the Commission had previously established a number of conditions to control possible adverse effects of the project such as siren noise; and he assumed that those same conditions would continue to apply if the present application were to be approved. Mr. Steele replied that that was the intention of the staff.

Commissioner Fleishhacker asked if he were correct in assuming that no basic changes had been made in the plans for the proposed facility since the matter was previously before the Commission. Mr. Agotti replied in the affirmative.

Robert V. Wharton, owner of property and operator of a business at 1939 Divisadero Street, advised the Commission that his property lies immediately adjacent to the subject site. He stated that he had initially had no objection to the proposed facility; however, after a trailer and all ten ambulances had been moved onto the property and he had had an opportunity to observe their operation, he had changed his mind. He indicated that five bedrooms in his building and four bedrooms in another building about the subject site; he was concerned about the effect which the noise generated by the proposed facility would have on people sleeping in those bedrooms. He stated that the ambulance service does not use Cadillac limousines but Chevrolet trucks; and he stated that the trucks are quite noisy when the drivers rev them up at 4 to 5 o'clock in the morning. Furthermore, it is not pleasant for his tenants to be knocked out of bed by sirens at 1:30 a.m. Also, the ambulances have loud speakers; and the drivers tend to talk to themselves over the loud speakers early in the morning. While he was not opposed to construction of the proposed building or to the ambulance service, he did feel that certain conditions should be established by the Commission requiring soundproofing of the building if the application were to be approved.

Commissioner Ritchie stated that the architect who had previously worked on the project had assured the Commission that the building would be constructed in such a way that the outside noise level would be very minimal; and he wondered if the new architect intended to incorporate the same standards into plans for the revised structure. Mr. Cardinaux replied in the affirmative, indicating that the building would muffle the sound of the trucks; however, the only solution which he could offer to the problem of

drivers conversing with each other over loud speakers would be to fire the offending drivers.

Commissioner Ritchie, emphasizing that the Commission had previously spent a great amount of time making sure that appropriate conditions were established to protect occupants of adjacent properties from offensive noises, felt that it was extremely important that the same conditions should be applied if the present application were to be approved. Mr. Steele stated that he would personally re-check the previous resolution to make sure that the conditions are in fact identical; he did, however, feel that one of the previous conditions would be inappropriate.

Robert Moore, representing the owner of an 18-unit apartment building at 2848 California Street, stated that his client's basic objection to the proposed use was the noise factor, especially the noise of the sirens. He pointed out that another ambulance company already exists on Bush Street in the general vicinity; and he felt that the owners of that company should have better control over how their drivers use their sirens. He noted that only two property owners from the neighborhood were present in the meeting room; and, therefore, he requested that the Commission postpone action on the application for 30 days in order to be able to hear from other interested parties.

Commissioner Ritchie recalled that the building which had previously been approved by the Commission had access only from Divisadero Street and not from California Street whereas vehicles would enter the building now being proposed from California Street and would leave by way of Divisadero Street. Mr. Steele stated that he felt that the revised plans would afford a much better circulation pattern for the applicant's operation.

Commissioner Fleishhacker remarked that he could think of no reason why ambulances should be using their sirens when they are entering the building on California Street.

Mr. Agotti stated that he could understand the Commission's concern about the noise which might be generated by the proposed use. However, he advised the Commission that he is licensed by the State of California; and he indicated that the State has very specific rules regarding the use of sirens. In fact, if those rules are violated, he would risk losing his license. He stated that every ambulance is equipped to record the speed of the vehicles and to indicate when red lights and sirens are used; and, as a result, he felt that they were effectively controlled. In reply to a question raised by President Newman, Mr. Agotti stated that most ambulances use both mechanical and electric sirens; and he indicated that he did not especially care for electric sirens himself. He assured the Commission that the sirens are never used within the garage; and, in fact, the drivers are instructed not to use their sirens until they are one or two blocks away from the garage.

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Commissioner Ritchie stated that he was concerned about the 18-unit apartment building on the opposite side of California Street. He noted that the facility which had previously been approved by the Commission had had no access onto California Street; and he questioned why the plans had been changed. Mr. Agotti replied that use of two driveways would provide for a better flow of traffic. He also indicated that the building presently being proposed would be smaller than the one previously approved by the Commission and would thus have less room in which to turn vehicles around.

President Newman read the following letter which had been received from Freda Heyman of Heyman Properties, Incorporated.

"We are the owners of the corner structure adjacent to the proposed construction at 2829 California St. That property has its two garage outlets for cars on sides of our building both at California Street and also on Divisadero Street. Our building houses five commercial and 16 residential units.

"The area is a busy corner already congested with heavy traffic and parking pollutions. Loud and sudden sirens (of speeding ambulances into the flow) and the inevitable brake grinding and screeching halts is bound to create unbearable disturbances to the tenant's peaceful enjoyment of their premises; and most especially at night. For our tenants and also the many other apartment houses in the immediate vicinity.

"We have had considerable hassle and a most unpleasant experience with the owners of this property. For approximately two long years we and the San Francisco Street Department battled unsuccessfully to get these owners of this property to correct a very hazardous and illegal fence at the site. Records will show a mammoth stalling technique on the part of these owners and finally a compliance when legal action was about to be taken.

"Because of this experience we find ourselves void of any confidence that the proposed ambulance business will not be of the same character. The possibilities of decent law-abiding adherence to the niceties of common courtesies we fear will never be realized and we shall certainly, on the basis of past behaviour, have to file continuing protests of violations in order to continue to protect our tenants and provide for them the peace to which they are entitled.

"We hope the City Planning Department will take cognizance of the possibilities of continuing dissensions and friction that must surely continue in the wake of the proposed use of the site. Excessive noise levels will most surely cause a continuous stream of protests not only from ourselves but in unison with the many other apartment owners in the neighborhood.

"We beg the Planning Commission in the interests of fairness to all people concerned to make a personal study and survey of the realities inherent to the proposed plan and deny the petition".

President Newman subsequently summarized the following letter which had been received from John H. Lindow, Jr., owner of property at 2733-35 California Street:

"I do not think that this application is in the best interests of the area, its' citizens, nor the City itself:

"1. Ten ambulances will aggravate an already difficult problem in traffic already existing on California Street and Divisadero Street.

"2. Parking facilities on both these streets are already taxed and more parking space on California would be eliminated.

"3. Emergency ambulance service has the right to siren and this will add to the undesirable noise factor.

"4. Drew School and Emerson School are on each side of the proposed land use which would add to and create a hazard and accident factor.

"5. There is already an ambulance service at Mt. Zion Hospital.

"6. Improvement of the Western Addition would be much better served by the addition of store-merchandising services, the residents in the area would be better served and/or the construction of a modern apartment would greatly assist the housing bind with increased tax revenue to the City which would result in the overall benefit to all concerned.

"I appreciate the opportunity to participate in this discussion."

Commissioner Fleishhacker, noting that the case report which had been prepared by the staff stated that an ambulance service may be authorized as a conditional use in C-2 districts, asked if there are any districts in which an ambulance service is considered as a permitted use. Mr. Steele replied that an ambulance service would probably be permitted as a principal use in C-3-S, C-M, M-1 and M-2 zoning districts.

Commissioner Fleishhacker remarked that it is necessary to have ambulances; and it seemed logical to have them housed near hospitals. However, he observed that most hospitals in San Francisco are located in residential areas.

Commissioner Porter asked if the Department of City Planning had received any complaints regarding the applicant's business during the past four years. Mr. Steele replied in the negative.

Commissioner Ritchie remarked that fire trucks usually come out of the firehouse with their sirens blaring; and he felt that it was possible that the applicant's drivers might do the same thing.

President Newman asked the applicant if he would be willing to abide by a condition requiring that the sirens not be used until the ambulances are at least a block away from the subject property. Mr. Agotti replied in the affirmative.

Mr. Moore pointed out that there is a traffic signal one-half block to the south of the subject property; and, if that light is red when ambulances leave the site, he doubted that they would refrain from using their sirens.

Commissioner Ritchie asked if the applicant's drivers have the right to go through red lights. Mr. Agotti replied in the affirmative but indicated that he requires his drivers to stop first.

President Newman requested that a new condition be drafted to require that the drivers be prohibited from using their sirens until they are at least one block from the subject property.

Commissioner Ritchie agreed that such a condition would be desirable; however, he also felt that it was important that all of the conditions previously established by the Commission should be carried forward.

Mr. Steele stated that he would like to have an opportunity to review the previous conditions and the original plans which had been before the Commission four years ago; and he recommended that the matter be taken under advisement for two weeks.

President Newman requested the staff to work with the applicant and his architects to see that the neighborhood is protected in every possible way.

Commissioner Ritchie asked if the proposed building would have buzzers and lights at the driveways to warn pedestrians of approaching vehicles. Mr. Steele replied that the warning devices would be installed at the exit on Divisadero Street but not at the entrance on California Street.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie and carried unanimously that this matter be taken under advisement until the Commission's regular meeting on Thursday, August 15, 1974.

The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, August 8, 1974.

The City Planning Commission met pursuant to notice on Thursday, August 8, 1974, at 1:30 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell; Mortimer Fleishacker, Thomas J. Mellon, John Ritchie, Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; George A. Williams, Assistant Director - Plans and Programs; Selina Bendix, Environmental Review Officer; Calvin Malone, Planner III; William Duchek, Planner III; Douglas Holmen, Planner II; Mark Winogrand, Planner II; Ruth Friedlander, Planner II; Mark Tajima, City Planning Intern; and Lynn E. Pio, Secretary.

Larry Liebert represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Mel Wax represented Television Station KQED.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that he would attend a meeting in Bernal Heights that evening to give a report on the feasibility of a Rehabilitation Assistance Program in that neighborhood. He indicated that copies of the report would be made available to members of the Commission.

The Director reminded the Commission that he will be on vacation for the next three weeks.

The Director advised the Commission that he had been served with a complaint in a suit challenging the validity of the Rehabilitation Assistance Program in the Haight Ashbury. He indicated that the suit is being brought by certain persons and organizations in the Haight Ashbury area, represented by the Neighborhood Legal Assistance Foundation. The defendants in the suit are the City and County, the Board of Supervisors, and a number of City Officials. The City Planning Commission had not been named as a defendant. He stated that the suit is based upon a number of grounds, most of them having to do with the process for designation of the area.

At this point of the proceedings, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

AUGUST 8, 1974

R74.49 - MASTER PLAN REFERRAL: PERFORMING ARTS CENTER ON MARSHALL SQUARE SITE.

Allan B. Jacobs, Director of Planning, explained that the Master Plan Referral process does not necessarily involve a public hearing; and, although the Commission usually does choose to receive public testimony, the Commission could legally decide to dispense with the hearing if it so desired. When Master Plan Referrals are scheduled for consideration, it has been the practice of the Director to prepare a written memorandum based on factual material which is distributed to members of the Commission for review prior to the meeting. A recommendation is offered at the end of the memorandum. He then read the memorandum which had been prepared for the subject Master Plan Referral, as follows:

"Pursuant to Section 3.527 of the Charter, the subject referral has been received from the Director of Property.

"The request is for the construction of a Symphony Hall on Marshall Square (Block 354) which is bounded by Larkin, Fulton, Hyde and Grove Streets in the Civic Center area. The subject property is under the jurisdiction of the Real Estate Department. The site is presently occupied by the offices of the Department of City Planning and an off-street parking lot which is operated through a lease on behalf of the Parking Authority.

"The Proposal

"The Sponsors of San Francisco Performing Arts Center, who are responsible for the proposal, indicate that the Symphony Hall will provide a performance facility of some 3,000 seats (the War Memorial Opera House has a capacity of 3,200 seats). The total cost of the proposed facility is estimated to be between \$15 and \$20 million.

"The preliminary schematic plans which have been submitted for the Symphony Hall contain the following significant design features:

- "1. Principal entrance of the Symphony Hall is shown to be along Larkin Street with a special lane contemplated for automobile access. No major off-street parking is provided on the site.
- "2. A special lane for service access is proposed to the Symphony Hall from Hyde Street. As presently envisioned it is located parallel to the existing vehicular service ramp to Brooks Hall.
- "3. An ancillary structure attached to the rear of the principal hall would provide possible space for rehearsals or recitals, a small theater, storage or offices.

- "4. An open area is proposed for the southeast corner of the site to provide for an extension of the existing landscaping along Hyde Street and an entrance plaza to the Symphony Hall.
- "5. The cornice line of the library located immediately to the north of and across Fulton Street from the subject site is maintained for the proposed Symphony Hall. The building setbacks conform to the setbacks for the library on both Larkin and Fulton Streets, to maintain the same spacial relationship to the Civic Center Plaza and City Hall.

"Review

"The Civic Center Plan sets forth several policies regarding the future development of the Civic Center area which are applicable to the review of the subject proposal:

- "1. Objective One, Policy 3:
Design Civic Center buildings and open space to serve as public gathering places for ceremonial, cultural, recreational, and other community activities;
- "2. Objective Two, Policy 2:
Locate civic cultural facilities in the Civic Center; and
- "3. Objective Three, Policy 1:
Locate buildings employing large numbers of employees and/or attracting large numbers of visitors in convenient pedestrian proximity to public transit and off-street parking facilities.

"Additionally, the introductory material to the Civic Center Plan establishes four activity categories. The second of these four categories pertains specifically to entertainment and cultural activities. Also, the subject site has been designated in the Civic Center Plan as an appropriate location for 'Entertainment-Culture' activities.

"With respect to these specific policies, the proposed use for the subject site would enhance the Civic Center as a place for ceremonial, cultural, recreational, and other community activities; it would provide for the location of cultural facilities in the Civic Center; it would be convenient to public transit and off-street parking facilities; and, the proposed use would conform to the designation placed on the subject block under provisions of the Civic Center Plan.

"In reviewing the preliminary site plan, several urban design problems were noted. At this early date, it is understandable why these concerns have not yet been solved. Therefore, in recognizing the preliminary status of the site plan, it is desirable to raise these concerns at this time:

- "1. The northerly side of the proposed Symphony Hall does not presently have provision for public access. Such access would seem desirable in relationship to the Fulton Mall and the Public Library.
- "2. The only activity focus proposed along the Fulton Mall is the proposed service access road. This location of the service road would seem to compound an already undesirable design situation with the Brooks Hall service ramp in relationship to the Fulton Mall and the proposed Symphony Hall.
- "3. The special carriage lane along Larkin Street could possibly create traffic problems at the Larkin-Grove intersection from conflicting vehicular movements. Relocation of this point of vehicular access would be desirable.
- "4. The open space area on the southeast corner of the block does not yet relate well with the over-all site plan.
- "5. The urban design considerations of building height and bulk, and the visual relationship of the proposed Symphony Hall to other public buildings are critical aspects in the development of a public building on the Marshall Square site. Therefore, to respond to these issues, additional studies are necessary prior to final determination of the design.

"Recommendation

"It is recommended that the Director be authorized to report that the proposed use of Marshall Square (Block 354) for a Symphony Hall is in conformity with the Master Plan provided that:

- "1. The open space area on the southeast corner of the block is either redesigned or relocated;
- "2. A major public access to the proposed Symphony Hall be developed from Fulton Mall;
- "3. Every effort be made to achieve a design solution for the Brooks Hall service ramp, including relocation, as it relates to the Fulton Mall and the proposed Symphony Hall;

- "4. The special carriage lane on Larkin Street be relocated to avoid possible conflict with future traffic movements in the Civic Center area;
- "5. Every effort should be made to locate the service access to the proposed Symphony Hall off Grove Street;
- "6. A design solution for pedestrian access be developed between the Civic Center Plaza Garage and the proposed facility;
- "7. If possible, and if space permits, accommodate other public uses on the Marshall Square block;
- "8. Specific studies be prepared and submitted relative to building height and bulk, and the relationship of the proposed Symphony Hall to other adjacent public buildings in the Civic Center area; and
- "9. The Sponsors of the proposed Symphony Hall work with the staff of the Department of City Planning and that the proposed plan for the Symphony Hall be resubmitted to the City Planning Commission for further review relative to the above-mentioned urban design conditions.

"Additionally, it is recommended that the Director be authorized to report to the Director of Property that the City Planning Commission recommends to the Board of Supervisors that, of the alternate uses of the Marshall Square site, priority be given at this time for a Symphony Hall and that said Square (Block 354) be so designated."

During the course of the reading of the memorandum, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

The Director felt that the Performing Arts Center would be a desirable use of the subject property because it would provide for a diversity of activity in the Civic Center, because it would bring nighttime activity to the area, because the site is well served by public transportation, and because San Francisco has no existing building which could be described as a true symphonic hall. On the other hand, he felt that designation of the site for use by the Public Library would not be appropriate at the present time. While he recognized that the Library does have space problems, he remarked that the Library is not alone in that regard. He indicated that the amount of space which the Library will need depends on what type of library is wanted by the citizens of San Francisco. Representatives of the Library were assuming that the ultimate objective of the Library is to become a regional reference facility; but he questioned whether the people of San Francisco would choose to assume the cost of maintaining such a facility. In his opinion, the basic needs of the Library are actually for expansion and storage space and for modern book handling equipment; and, if he were correct in that assumption,

he felt that it would be feasible to satisfy the needs of the Library on property located adjacent to or near the present Library building. He estimated that approximately 211,000 square feet of additional space could be constructed in the block in which the Library is presently located; and approximately 108,000 square feet of space could be provided under Fulton Street. Furthermore, if the proposed symphony hall does not require use of the entire Marshall Square site, he felt that it should be possible to incorporate some of the relevant activities of the Library, like the Music and Art Departments, into the Performing Arts Center complex. The last consultant who had been hired by the Library had explored alternate uses of the existing Library building and had recommended that it might be traded or sold, that it might be remodeled for use by another agency, or that it might be demolished. He remarked that it appears that the Library building is not a good facility and that it may never be; and, if so, he felt that efforts to tie any new library building to the existing facility might be misguided. Instead, he believed that plans should be made to construct an entirely new building on some other site such as the City-owned property at the southeast corner of 5th and Market Streets. Therefore, of the alternate uses of the Marshall Square site being considered at the present time, it was his recommendation to the Commission that priority should be given to use of the site for construction of a new Symphony Hall.

Commissioner Fleishhacker felt that the Commission should decide whether it wished to hold a public hearing on this matter. After discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that testimony be received from the public on this matter.

Samuel B. Stewart, representing the Sponsors of the San Francisco Performing Arts Center, Inc., made the following comments:

"We appreciate the opportunity to present Sponsors' project to you today -- a new Performing Arts Building on the Marshall Square site. We, Sponsors of San Francisco Performing Arts Center, Inc., are an organization incorporated in April, 1973, a qualified, publicly supported charitable group, and we wish to restate at the outset that we are not opposed to a new Library, or neighborhood arts programs. These functions obviously are important ones. All true efforts to raise the cultural opportunities in the City are in the public interest and deserve public support. No one project can do the whole job. We are attempting, largely through private donations, to provide much needed additional facilities for the major performing arts --- facilities to attract the world's greatest artists -- for the benefit of present and future San Franciscans of all economic levels and ethnic groups. These facilities have been long needed.

"As for the Library's needs, may I remind you that Mayor Alioto, in his letter of April 29, 1974, to the Chief Administrative Officer, Mr. Mellon, with copies to the members of this Commission, not only gave his full approval to the use of Marshall Square for the performing arts building, but suggested several feasible alternative sites which could be made available to the Library when they are ready to finance and build their proposed addition.

"There are several elements in our program, only one of which is the new building on Marshall Square. Another part of the program is an extension and addition to the existing Opera House to complete facilities there which also are vitally needed.

"During the last 8 years, there have been numerous technical discussions and official presentations regarding this project before elected and appointed officers and departments of City government. I would like to include in the record a list of those officers and departments.

"I would like to present that part of the project today that deals with our proposal for a new, major performing arts building on the Marshall Square site and, later, will call on several people interested in the cultural life of this City to speak in support of this proposal. Right now, I would like to call upon Mr. Wallace Wortman, Director of Property, Real Estate Department of the City and County of San Francisco."

Mr. Wortman, stated that he had submitted a letter to the Department of City Planning under date of June 21, 1974, requesting a report on the conformity of the proposed project with the Master Plan. He indicated that he was prepared to answer any questions which might be raised by members of the Commission.

Commissioner Ritchie stated that he regarded the Commerce High parking lot to the south of the Opera House to be a possible alternate site for the Performing Arts Center; and he asked Mr. Wortman to comment on the availability of that site. Mr. Wortman replied that the latest proposal for that site is for development with a combined facility which would house both the headquarters of the Board of Education and the courts. In reply to further questions raised by Commissioner Ritchie, Mr. Wortman stated that ownership of the Commerce High parking lot site is not clear; and it was for that reason that the property had been designated for joint use. The property is technically under the jurisdiction of the Board of Education; however, the City has voiced a claim to the property.

Mr. Stewart continued his presentation as follows:

"Thank you, Mr. Wortman. Our objective is to assist the City of San Francisco in financing and constructing the additional facilities needed to complete the performing arts center, of which the present Opera House is a major element.

"We propose to solicit contributions from the general public to accomplish this objective. The plan must include construction of a major new building -- preferably on the Marshall Square site -- containing adequate facilities for symphony and other musical attractions and other performing groups. Such a facility must have approximately 3,000 seats. A renovated, smaller theatre will not suffice.

"The new building would help the City enhance its leadership in musical art forms. It would bring cultural and financial benefits to the citizens generally.

"The Sponsors have enlisted the technical skills of highly competent architectural, legal, engineering, financing, and community relations consultants.

"The officers and directors of the Sponsors constitute a distinguished group of San Franciscans, each of whom has a record of civic achievement, particularly in the cultural life of the community. For the record, I should like to hand you a list of the directors. .

"The present Opera House is totally inadequate to meet all of the multi-purpose demands made upon it today. Opera and Symphony, together, utilize it to almost 100% of capacity. Both are in increasing demand. Specifically, 211 performances and 147 rehearsals used up the available Opera House time this season. So tightly joined are Opera and Symphony seasons that the Symphony moves into the Opera House the morning after the Opera closes; technicians and chorus start work on stage for the Opera the day after the Symphony season ends.

"The San Francisco Ballet is equally troubled. Of the six major ballet companies in the United States, it is the only one not based in the New York-Philadelphia-Washington axis and is the country's only fully unionized ballet. It fits its tight schedule into 27 performances, January through May. It has a growing, appreciative audience and could enhance its stature with a continuous 12-week season with double the number of its present productions, still leaving room for other ballet companies (American, National of Canada, Joffrey, Bolshoi, Kirov), which may visit San Francisco. The present scattered schedule cost the ballet, this season, over \$40,000 in extra costs.

"Perhaps Sol Hurok, the foremost impresario, best summed up the San Francisco situation when he wrote: '...it is impossible for any visiting group to secure the Opera House for as much as a week's engagement. This situation results in financial and artistic loss to the City as dozens of major attractions are forced to bypass the City altogether; others are forced to play in poor facilities.'

"The Opera House, conceived as an auditorium for 'touring' companies, cannot now accommodate the needs of our own world-important, resident Opera Company of many segments and many performances -- wholly apart from the needs of the Symphony, the Ballet, and touring attractions. Presently, the Opera must rehearse in six different locations apart from the Opera House, greatly adding to expense and inefficiencies.

"With combined budgets of nearly \$8 million annually -- Opera and Symphony comprise a major local industry. Each year almost 800,000 people attend their performances on a paid basis. These 800,000 funnel millions of dollars into the economic mainstream through tickets purchased, through over 1,000 jobs directly related to the two organizations, through department store and specialty shop purchases, through the use of taxis, restaurants, hotel accommodations, parking lots and garages, and in the web of interlocking and peripheral services such attractions inevitably weave. Opera and Symphony employ not only musicians but also the designers and makers of costumes, scenery and sets, the technicians of stage lighting and other workers.

"In a more important sense, this City's major cultural programs contribute to its character, charm and sense of plan, and enhance its desirability as a place to live, visit, vacation, and hold conventions. These general benefits to the community cannot be ignored. They more than compensate for the sad economic fact that classical performing art forms are deficit operations of and by themselves. Performing arts facilities, therefore, must be considered public service institutions, and, indeed, the Opera, Symphony, and Ballet are important public services -- for a broad cross-section of the population -- not limited to a privileged few.

"Without attempting to separate the components, they are cultural, educational and pleasurable, in that they offer the sheer joy of superb entertainment and spectacle. Together, Opera, Symphony, and Ballet have developed and attracted a rich reservoir of talented musicians to the Bay Area. These artists, besides performing, teach on many educational levels at the Conservatory of Music, at San Francisco State, at the University of California, at Stanford, and at Mills College.

"They also teach privately many thousands of youngsters. In past years, such artists as Isaac Stern, Jess Thomas, Ruggiero Ricci, Leon Fleischer, Yehudi Menuhin, Patricia Michelian, and many, many more distinguished performers, dancers, composers, instrumentalists, and singers of today have been educated by these artists.

"The suggestion that the major performing arts, like the Symphony and the Opera, are merely a pastime for the rich and elite, is simply untrue. The San Francisco Symphony, last season, performed, in San Francisco alone, to 323,000 fully paid admissions, 56,000 discounted admissions, and 57,000 free admissions, for a total attendance of 436,000. And it is of the utmost importance to know who these people are.

- "1. San Francisco Symphony Forum was inaugurated in 1939 and now encompasses students from over 40 colleges and universities in the Bay Area. Over 4,500 students attend on a session ticket basis each of the 24 Wednesday evening concerts in the Opera House at reduced prices, roughly 40% to 70% less than the regular admission fee.

"2. High School Groups

are invited to attend the Thursday afternoon concerts on a free basis.

"3. Elementary School Groups

This past season, over 13,000 students attended 4 concerts of the San Francisco Symphony Orchestra for a nominal fee of \$1.25.

"4. Senior Citizens

The Symphony is currently performing to more than 1,300 Senior Citizens on Thursday afternoons at an admission of \$2.50.

"5. Open Rehearsal Program

During the past season, the Symphony inaugurated a program in which 6 rehearsals on Wednesday mornings were open to the public for a nominal charge of \$3. Over 4,000 people attended these rehearsals.

"6. Summer Music Workshop

The Symphony has just concluded its fourth Annual Summer Music Workshop. The 6 weeks' free course involved between 800 and 900 young people who were coached by school faculty members as well as by professional musicians. The full San Francisco Symphony Orchestra was in residence for the final 2 weeks of the program, performing in ensembles, with students, and in workshop sessions. Truly, this is the most unique program of its kind being offered to young people in the whole country.

"7. Fall Symphony-In-School Concerts

"During the fall, the Orchestra appears in our public, parochial, and private schools, performing in ensemble and as a chamber unit as well as in workshop sessions. This, too, is free to the students, and approximately 18,000 students will be exposed to the Orchestra at that time.

"8. Community Concerts

During the fall period, as a part of the Symphony-In-School Program, 6 community concerts are given in special locations, with emphasis on ghetto communities. These, too, are presented without charge, and approximately 3,000 people attend these concerts.

"9. Armed Service Groups

When ample unsold tickets are available for any performance by the Orchestra, the Association also invites, complimentary, various Armed Service groups and particularly those servicemen who are located in our service hospitals within the area, such as Letterman, Oak Knoll, etc.

"The San Francisco Opera's special services to the community are equally impressive and fall into three principal areas: (1) to students, (2) to senior citizens, and (3) to the general public, with free or reduced price performances. Significantly, of the 250 total performances by the various San Francisco Opera companies (Fall, Spring Opera, Western Opera, Merola, Street, and Brown Bag), only 60 were in the Opera House, while the other 190 performances were given in schools, hospitals, other city auditoriums, and even on the streets of San Francisco to the pleasure of 203,000 citizens who paid in full for their tickets, 47,200 who attended at substantially reduced prices, from as low as 50 cents; and 69,500 who attended free; for a total of 320,200.

"We have shown how many people from all walks of life attend Opera and Symphony performances. Encouraging, too, is the financial support these activities engender. One who can speak well for this broad base of community support is Philip S. Boone, who has been associated with the San Francisco Symphony for many, many years and who served as its distinguished president in the very important years from 1963 to 1972."

Mr. Boone advised the Commission that 743,500 people had paid to hear the symphony and the opera in 1973; and an additional 126,500 people had attended performances on the two groups for free. The opera and the symphony enjoy a broad base of financial support; and he felt that the only question to be faced at the present time was whether the people who attend opera and symphony performances would be willing to fund the new facility being proposed. In his opinion, the 9,676 persons who have been contributing to the deficit spending of the symphony and the opera will rise to the occasion and provide the funds necessary for construction of the new Performing Arts Center.

Ray Taliaferro, a member of the San Francisco Art Commission, remarked that San Francisco has two distinct personalities, one being the various ethnic communities of the city and the other being the beautiful amalgam of all of the diversity. He was confident that neighborhood arts centers will be available to serve the cultural needs of the various ethnic neighborhoods; but, at the same time, he emphasized that there is a need for a performing arts center in the city where performances not presently enjoyed in the city can be presented.

Walter Baird, President of the San Francisco Opera Association, informed the Commission that the San Francisco Opera Company has grown dramatically in the last few years and is seriously in need of additional space for rehearsals. At the present time, the opera is forced to rehearse in six different buildings. In addition to a new annex to the Opera House, a symphony hall is also needed; and he hoped that the Commission would act on the staff recommendation to designate Marshall Square as the site of that facility.

Kurt Herbert Adler, Director of the Opera, felt that it was clear that everything done in opera in San Francisco must emanate from the Opera House. At the present time, however, the Opera House has no space to rehearse, no office space, and no ability to schedule extra performances. The Opera has been sold out and has been unable to accommodate everyone who would like to attend opera performances. He stated that the opera was vitally interested in construction of a new symphony hall in the vicinity of the Opera House because if such a facility were constructed at a remote location it would be more costly, more impractical, and would deprive San Francisco of a real cultural center.

David Plant, President of the San Francisco Symphony Association, advised the Commission that he had accompanied the symphony on a six week European and Russian tour; and he had returned from the tour with a realization that the orchestra is internationally famous. Following the tour, he had received a letter from the United States Embassy in Moscow praising the symphony for the success which it had enjoyed in Russia. Given the quality of the orchestra, he felt that it was important that the orchestra should be provided with nothing but the best of facilities; and he believed that San Francisco should have the best symphony hall in the world. Therefore, he requested that the Commission designate Marshall Square as the site of the new performing arts center. Mr. Plant then read and submitted the following letter from Seiji Ozawa, Conductor and Music Director of the San Francisco Symphony:

"I have been informed that representatives of Performing Arts Center, Inc. will make a presentation to you requesting that the Marshall Square site be designated for the development of a new concert hall in San Francisco. I have seen the proposed area and am absolutely convinced that it is ideal in every respect. A concert hall on this site, adjacent to a Bart station, would accommodate our widespread Bay Area audiences easily and conveniently. Architecturally, such a building would further enhance the beauty of our Civic Center complex, of which it is an integral part.

"The opportunity for San Francisco to have an excellent concert hall is an exciting prospect for me, and one which I feel is not only warranted by our fine orchestra, but essential to its continuing artistic growth and achievements.

"A new performing hall with excellent acoustical properties means more meaningful concert preparation, greater artistic achievement and more flexibility in programming over the Orchestra's performing year.

"During the tour of Europe and the Soviet Union, in the Spring of 1973, the San Francisco Symphony Orchestra performed in numerous acoustically excellent halls, and audiences were able to hear the Orchestra under ideal circumstances. One San Francisco critic, who was present during these performances, commented that audiences at home had never heard their Orchestra.. an inference that it performs at home under less than good acoustical conditions.

"It is my sincere and profound hope that you will see fit to designate the Marshall Square site for our new performing hall and I am looking forward with much anticipation to performing there with my orchestra."

Commissioner Ritchie, noting that Mr. Plant is in the building business, asked if he felt that it would be possible to construct a combined facility on Marshall Square to house the Performing Arts Center and certain Library activities. Mr. Plant replied that he is not an engineer and indicated that he would have to refer that question to the Performing Arts Center's architect.

Steven Zellerbach, Chairman of the Board of San Francisco Ballet Association, advised the Commission that the ballet would not be able to perform in San Francisco without the cooperation of the Symphony and the Opera since it has no facility of its own and must therefore share the Opera House with the other two organizations. However, the ballet season is much shorter than it should be; and, when the ballet is sharing the opera house with the symphony, removal and replacement of the symphony's acoustical shell is both inconvenient and costly.

Fred Campagnoli, a member of the Board of Directors of the War Memorial Trustees, stated that his board had received \$2,000,000 in revenue sharing funds from the city to be used for construction of the Performing Arts Center. He stated that there is no question about the fact that the proposed facility is needed. The Opera House is used exclusively by the Symphony, the Opera, and the Ballet; and others who regularly request permission to use the Opera House for performances by other groups must be denied. Under the circumstances, he felt that it was vital that a new symphony hall should be constructed if San Francisco is to maintain its position of cultural preeminence. He stated that other properties have been considered as a possible location for the Performing Arts Center including a site west of Franklin Street in Western Addition Project Area A-2. That site had a number of disadvantages including lack of a good configuration, physical factors which would result in excessive construction costs, a requirement for the closing of Fulton Street which would block views of City Hall from the west, a relocation problem involving present

residents of the area, and the fact that the property is not owned by the City and would have to be acquired through condemnation proceedings. By contrast, Marshall Square is a good site which is owned by the City and which has excellent access to public transportation. He remarked that delay in approving construction of the Performing Arts Center on the Marshall Square site could only result in increased costs; and, therefore, he urged the Commission to approve designation of the site for use by the Performing Arts Center at the conclusion of the current hearing.

Pietro Belluschi, in association with DeMars and Wells serving as architect for the Sponsors of the San Francisco Performing Arts Center, Inc., stated that he had studied other symphony halls throughout the world and had become familiar with San Francisco's particular problems; and he indicated that he would give special consideration to the design issues which had been raised by the Director of Planning. In his opinion, Marshall Square is the right size for a three-thousand seat facility; and he thought that the site was ideally situated near the Civic Center Garage and close to public transportation. He believed that the Performing Arts Center would add to night-time activity in the civic center; and he believed that a well designed contemporary structure could result in completion of the Civic Center as a great urban square. He then showed a series of photographic slides of the interior and exterior of performing arts centers located in other cities which had been constructed within the limits of the budget being contemplated locally.

Mr. Stewart then concluded the presentation of Sponsors of the San Francisco Performing Arts Center Inc., as follows:

"We have now discussed the major part of the overall program and I would like to review the cost and proposed funding of the project which will come mostly from private funds, to review:

"Preliminary cost estimates for the project as of July are as follows:

- | | |
|--|--------------|
| "1. Concert Hall
(Marshall Square Site) | \$14,000,000 |
| "2. (a) Renovation of Opera House
(b) Extension of Opera House
(c) Opera House Annex | 6,000,000 |
| "3. Parking facility (self-supporting) | |

"The money for Projects 1 and 2 would come from the following sources:

- | | |
|---|-------------------|
| "1. Contributions made through fund
raising activities by Sponsors | GOAL: \$15,000.00 |
|---|-------------------|

- "2. Direct capital contribution from the City (first \$2 million installment already approved by the Board of Supervisors) in the form of federal revenue sharing funds
- GOAL: \$ 5,000.000
- (\$1,000,000 per year for five years)

"To summarize, we propose that a new major performance facility be constructed on the Marshall Square site. Such a building would:

- "1. Attractively complete a performing arts center complex within the Civic Center.
- "2. Provide a much-needed new facility that would benefit San Francisco both financially and culturally, both in the near term and long term.
- "3. Be in a location that takes best advantage of public transportation.
- "4. Have immediate feasibility. Major funds already have been set aside by the City from Federal Revenue Sharing and the majority of the remaining funding will come from private sources, thus avoiding the necessity of first mounting a large-scale public bond issue which, in today's political climate, could not be expected to win the required two-thirds vote no matter what the needs or desires of a majority of the people might be.
- "5. Greatly add to revitalizing night-time activity in Civic Center and make that great City asset contribute far more than it can now do toward enhancing the quality of life in the City of San Francisco.

"Sponsors believe this project is feasible and are willing to volunteer time and money to undertake it, based on the goodwill and generosity of many citizens of this City. Your action today is not the last official check and balance. The plan will not be finalized until there has been full opportunity for public discussion, the cost of the project and the availability of public and private resources are known. Once the Marshall Square block site is designated and set aside for this purpose (or we are given an option for a specific period of time), Sponsors will submit a

formal Letter of Intent to the Board of Supervisors and other appropriate City departments, setting forth the terms and conditions we propose in assisting the City of San Francisco in financing and constructing these cultural facilities. However, it is most vital to the project that all City departments involved quickly approve the Marshall Square site for this purpose for several cogent reasons:

- "1. Before major funds are expended on specific plans, it is essential that a site be firmly committed. Much private money (more than \$100,000) has already been spent on plans for the original site behind the Opera House. It would be irresponsible to waste more.
- "2. The major project of soliciting \$15 million of private contributions cannot begin without specific plans tailored for a specific site.
- "3. Because of inflation, delays would mean crippling added expenses; perhaps as much as \$200,000 per month; and delay is not necessary. We earnestly request your unqualified approval of this project today."

Commissioner Ritchie asked how much money the Sponsors of the Performing Arts Center had collected to date for construction of the proposed facility. Mr. Stewart replied that the sponsors had not actively solicited funds for the project; however, in addition to the revenue sharing funds which had been appropriated by the City, \$1,000,000 had been pledged privately and an advance of \$250,000 had been made for development expenses.

Commissioner Ritchie again asked Mr. Stewart if he felt that it would be feasible to construct the Performing Arts Center on the Commerce High School parking lot. Mr. Stewart replied that there appeared to be many uncertainties about that site; and he indicated that no one had ever told him that it could be made available. However, he was not prepared to say that the site could not be used for the Performing Arts Center if it could be made available. Commissioner Ritchie then asked Mr. Belluschi if he felt that Library and Performing Arts Center functions could be combined in a single building on the Marshall Square site as suggested by the Director of Planning. Mr. Belluschi, noting that functions were combined at Lincoln Center in New York City, believed that it would be architecturally possible to design a combined used building on Marshall Square; however, he emphasized that such a building would cost more money than a single-use facility.

Commissioner Fleishhacker asked if he were correct in understanding that the proposed Performing Arts Center would be constructed with private funds and that it would then belong to the City. Mr. Stewart replied in the affirmative.

Arthur C. Agnos, a member of the San Francisco Commission on Aging, read the following statement:

"I am here today to respectfully introduce a most important and worthy dimension for your consideration regarding any proposed construction on Marshall Square in Civic Center Plaza.

"In an action unanimously adopted in its regular meeting on August 7, 1974, the San Francisco Commission on Aging respectfully urges, 'Any proposed new construction on Marshall Square include in the plans substantial and proper physical accommodations which could house a Senior Citizens Center in the downtown area.' The SFCOA takes no position on who the parent occupant should be in the current situation or any other. In reality, both facilities-- a library or a performing arts center -- would be of natural interest to the elderly.

"In making this earnest recommendation, the San Francisco Commission on Aging (SFCOA) is particularly mindful of its responsibility as the designated planning agency for the needs of elderly San Franciscans. This responsibility has been authorized under Section 5.52 of the city law which designates the SFCOA to 'act as the area planning agency for comprehensive area-wide planning and program implementation with various consumer agencies and city departments.' It may be of some interest to note that this very same responsibility for planning in the specific area of San Francisco's elderly population has been officially recognized by both the federal and state governments.

"Thus, it is with a most respectful spirit of earnest and friendly cooperation in the pursuit of the very best services for over 120,000 elderly San Franciscans that we urge that this Commission adopt, today, a motion requiring that any new construction include appropriate and suitable space for a bona fide downtown Senior Citizens Center."

Commissioner Ritchie asked how much space would be required for the senior citizens. Mr. Agnos replied that all space requirements would be very modest.

Kevin Starr, City Librarian, stated that he was not opposed to the Performing Arts Center but indicated that he was jealous at the civic interest which was being expressed for that project while the Library and the Regional Reference Center are being overlooked. While the Director of Planning had recommended possible alternate sites for construction of a new library facility, he remarked that each of those sites had been studied and rejected by the consultant firm of Arthur D. Little, Inc. He noted that the Commission had acted two weeks ago to amend the Master Plan; and the designation given to

Marshall Square at that time would have authorized use of the site by the Library. However, the action which had been recommended by the staff of the Department of City Planning on the Master Plan Referral for the Performing Arts Center would result in the "eviction" of the Library from the site. He believed that planners should have a responsibility to plan not just for the Performing Arts Center but for all city agencies; and, if Marshall Square were to be designated as a site for the Performing Arts Center, he felt that the Commission would have a responsibility to decide at the same time where the Library should be located in Civic Center. He stated that the Library had staked a claim to the Marshall Square site 20 years ago; and he felt that it was unfair that the Library should now be put on the defensive and told to go out and search for a new site for itself. It appeared to him that it was the policy of the City Planning Commission that a Performing Arts Center was more important than an adequate library; but he felt that the City should have both facilities. If the influential people who were sponsoring the Performing Arts Center could not obtain a commitment for use of the Commerce High parking lot, he felt that it was obvious that the Library would have no ability to gain title to that property. He did not understand why the proposal for the Performing Arts Center was being rushed along so hurriedly; and he felt that it was most unfortunate that the Library, the most fragile of city departments, was being damaged in the crush. In conclusion, he advised the Commission that the Library community was shocked at the action which were taking place.

Commissioner Porter stated that she had served on the Capital Improvement Program Committee of the Commission for approximately 15 years; and she wondered why the Library had never pressed its demands during that time. Whenever members of the Commission had mentioned the possibility of a bond issue for the Library, the Library had rejected the idea. While Mr. Starr had assailed the City Planning Commission, she felt that it should be obvious that the Commission was caught between two competing groups, one which has the ability to carry out its plan immediately and one which does not. She asked if Dr. Starr felt that the Performing Arts Center project should be discouraged in spite of the fact that the Library may not be able to move forward with its plans for 15 to 20 years. Dr. Starr replied that the Library is a neglected city department which has not had time to obtain commitments for funds from the city's distinguished citizens. The Library is just now beginning to move forward; and he felt that it was an unfortunate time for the Library to be "blasted off of the site which it had considered to be its natural homeland". He predicted that the Library would be ready to proceed in one or two years with its construction program; and he urged the Commission not to abort that impending birth.

Commissioner Fleishhacker asked if it would be possible for the Library to expand on its present site. Dr. Starr replied that the consultant firm of Arthur D. Little, Inc., had estimated that such an annex, which would cost approximately \$30,000,000, would be obsolete by 1975.

Commissioner Fleishhacker asked if an annex building would really cost \$30,000,000. David Belch, Director of Public Relations for the Library, replied that the \$30,000,000 figure would include major remodeling of the existing space so that the annex, which would contain 121,000 square foot of floor area on seven levels, could be tied effectively to the existing building.

Majorie G. Stern, representing the Public Library Commission, stated that a number of reports which had been prepared for the Library by consultants had concluded that construction of an annex to the present building would be unwise. She then read and submitted the following resolution which had been adopted by the Library Commission on August 7, 1974:

"WHEREAS, San Francisco's desperate need for a new Main Library facility has long been recognized, and

"WHEREAS, the Library submitted to the Planning Commission, on May 5, 1964, a study of these problems and plans for a new Main Library/Regional Resource Center on the Marshall Square site (the Bolles, Mohrhardt-Ulveling Report), and

"WHEREAS, the Library submitted to the Planning Commission, on September 30, 1966, a specific proposal for a bond issue to construct a new Main Library/Regional Resource Center on the Marshall Square site, and

"WHEREAS, in 1967 and in every succeeding year thereafter, the Planning Commission has adopted a City and County Capital Improvement Program calling for the construction of a new Main Library, and

"WHEREAS, meetings with the Planning Commission staff since July 6, 1967, indicated agreement that the Marshall Square site is the only appropriate location for a new Main Library facility, and

"WHEREAS, the Civic Center Technical Coordinating Committee recommended on May 17, 1968, that Marshall Square be reserved for a new Main Library, and

"WHEREAS, the City and County of San Francisco has accepted from the California State Library \$1,642,312 since 1967 on the specific understanding that the City will provide a facility appropriate to serve as a Regional Resource Center, and

"WHEREAS, the City and County of San Francisco accepted from the U.S. Department of Housing and Urban Development, under the same understanding, an advance of \$125,000 to complete the preliminary planning for a new Main Library/Regional Resource Center on Marshall Square, and

"WHEREAS, the Arthur D. Little-John S. Bolles Report (prepared with the HUD funds), submitted to the Planning Commission in December, 1970, strongly supports construction of a new Main Library on Marshall Square, and

"WHEREAS, the Library Master Plan, on which the Planning Commission staff and the Library have been working since 1971, lists the construction of a new Main Library/Regional Resource Center as the primary objective, and

"WHEREAS, the construction of any facility on the Marshall Square site other than a new Main Library will increase the cost of a new Main Library facility, built on another site, by a minimum of \$10 million and perhaps as much as \$20 million, and

"WHEREAS, the construction of any facility except a new Main Library on Marshall Square will destroy completely the value of the current Main Library, when the City does build a new Main Library on some other site, and

"WHEREAS, the Planning Commission has had before it for over eight years sufficient and compelling evidence of the need for a new Main Library and specific plans for construction of such a facility, now

"THEREFORE BE IT RESOLVED, that the San Francisco Public Library Commission hereby urgently requests the Planning Commission to amend the Civic Center Master Plan to reserve Marshall Square for a new Main Library and to institute procedures to transfer jurisdiction over that site to the Library."

Mrs. Stern then read excerpts from a letter which she had received from the State Librarian who remarked that San Francisco had received more than \$2,000,000 of Federal and State funds based on the expectation that the city would build a new regional reference library on the Marshall Square site; and she also called attention to a letter which she had received from the California Library Association in support of the proposal to construct a new library on Marshall Square. She distributed copies of an editorial which had appeared in the San Francisco Chronicle on January 15, 1969 which stated that the City Planning Commission had agreed that a new main library should be constructed on Marshall Square. She emphasized that the city had received more than \$1,500,000 in Federal funds because of its designation as a regional research center; and it was her opinion that the city has an obligation to construct a new research facility since the Federal funds are being made available to San Francisco at the expense of other libraries. She stated that members of the Library Commission had experienced shock and disbelief when they had first read that sponsors of the Performing Arts Center were considering Marshall Square; and she remarked that it was hard to believe that the City Planning Commission was prepared to make a decision in favor of the Performing

Arts Center without careful study of other alternatives such as the possibility of remodeling the Orpheum theater for use by the Performing Arts Center. In conclusion, she stated that decisions made under wraps have no place in today's world.

Commissioner Porter remarked that it was a very unpleasant experience for members of the City Planning Commission to have a person as dedicated as Mrs. Stern question their integrity. She stated that it is the job of the City Planning Commission to keep the Civic Center Master Plan up-to-date and to indicate acceptable uses for properties within that area. In fulfillment of that responsibility, the Commission had acted two weeks ago to designate the Marshall Square for recreational or cultural use, a designation which would encompass either a Performing Arts Center or a Library. However, the Sponsors of the Performing Arts Center were presently before the Commission with a valid purpose concerning a project which was apparently eminent while the Library had not yet formally submitted its proposal for review. She believed that every member of the City Planning Commission would favor the construction of new space for the Library; but the Library had not come forward with any concrete proposal thus far. She did not feel that it should be the job of the City Planning Commission to investigate the feasibility of alternate quarters for the Performing Arts Center or for the Public Library; rather, its job should be to determine whether specific proposals presented by those groups is in conformity with the Master Plan. The Director of Planning had recommended that the Performing Arts Center proposal be approved as in conformity with the Master Plan; however, she had moved that a public hearing be held in case something which might be said by members of the audience would lead members of the Commission to feel that some other action should be taken.

Mrs. Stern stated that she could not possibly question the integrity of the members of the City Planning Commission. Nevertheless, she was horrified at the lack of leadership which had lead to a situation in which two groups were vying for the same site. She also remarked that the Library was supposed to have gotten revenue sharing funds; but that money was given to the Performing Arts Center instead.

President Newman asked the Director to explain what the designation of the Marshall Square site had been prior to amendment of the Civic Center Master Plan two weeks ago. The Director replied that the Master Plan had designated the site for development with a new courts building.

President Newman then asked if the revised Civic Center Master Plan proposal had been circulated to members of the public. The Director replied in the affirmative.

Commissioner Fleishhacker asked if the Marshall Square site had been unofficially designated for some other use. The Director replied that he had recommended to the Civic Center Technical Coordinating Committee in 1968 that it was his opinion that the Marshall Square site should be used for a main

library facility. However, the site had not been officially designated for such use. When the possibility of a conflict for use of the site had arisen, he had made it clear to the individuals involved that the Library was under the impression that the site had been designated for its use; and he had made an effort to bring both parties together for mutual discussion. He felt that neither the staff of the Department of City Planning nor the City Planning Commission had been neglectful of their duties in that regard.

Dr. Starr then called on Robert Chrisman, Editor of the Black Scholar and a member of Writers, Artist, and Taxpayer for a Public Library on Marshall Square, who read and submitted the following statement:

"I take this opportunity to register my strong support for the preservation of Marshall Square as a building site for the San Francisco Public Library. I am categorically opposed to its use for the construction of the proposed Fine Arts Center.

"We must recognize that literacy is the primary resource of a democratic people, and we must further recognize that free public libraries are one of the guardians, one of the main well-springs, of public literacy.

"Thus we must fully support the retention and expansion of public library facilities in San Francisco. The library system is a profoundly public resource, much like the municipal railway or the postal service.

"This support becomes even more critical when we recognize that 40% of San Francisco's population is non-white: either black, Chicano or Asian, such that the upward striving and most needy of San Francisco's population are precisely those Third World peoples most in need of adequate library facilities. In addition, there is, of course, the sizeable working class population of San Francisco who rely, primarily, upon a public book service for the exercise of literacy.

"In my opinion, the needs of Third World and working class people far outweigh the needs of an admittedly middle-class and professional group who would primarily use the performing arts center for ballet, opera and theatre.

"Furthermore, the centrally located Marshall Square allows all neighborhoods to feed into the main library easily with public transportation. As a youngster, I remember taking the busses to the San Francisco Main Branch for term papers and other research.

"We must further recognize that the library has a very important historical and preservative function, by securing, processing and making available, important documents--printed, audio and visual. I envision a brand new public library complex built in Marshall Square which would not only provide the printed materials needed by the San Francisco population, but also become a resting place for significant documents, and a research center.

"By acting to preserve Marshall Square for the new library building, and taking vigorous action to update our dilapidated library system, the Commission will have taken a significant step in preserving our cultural heritage in San Francisco, and assuring that Third World and working class people will have full opportunity to participate and share in the rich cultural experiences that excellent libraries provide."

Mary Louise Stong, representing Friends of the Library, remarked that the Capital Improvement Program reports for 1970 and 1971 had included an entry calling for a bond issue for the Library to which a note was attached stating that the Civic Center Technical Advisory Committee had approved designation of Marshall Square as the site for the new Library building. She stated that she was pleased that some of the members of the Commission had inquired into the possibility of an alternate site for the Performing Arts Center since if they had not done so she would have been of the opinion that the rape of the Library was already a fait accompli. She also believed that several inaccurate statements had been made during the course of the hearing. While Mr. Stewart had stated that the Mayor had suggested several alternative locations for the new Library building, the Mayor had, in fact, made only two suggestions, one of which involved a site which is already occupied and the other which involved a building which is not even owned by the City. While the Director of Planning had suggested that the property at 5th and Market Streets might meet the requirements of the Library, the report which had been prepared by the consultant firm of Arthur D. Little, Inc., had proven conclusively that the Library must remain in Civic Center. The Director had also asked if the City would be willing to support a new regional reference facility; but in her opinion the "shoe was really on the other foot" since the city would be getting support from the State and Federal Governments. She believed that the staff of the Department of City Planning had not given adequate study to the problems of the Library; and she indicated that she had written letters to the Commission and the Director on May 3 and May 14 and had not received a response to either letter. In conclusion, she urged the Commission not to make a decision which the citizens of San Francisco would have to live with for generations to come without giving the matter adequate study.

Billie Pearl-Schuler, President of Keep Libraries Alive, believed that members of the Commission had received many letters from the 4,000 members of her organization urging that Marshall Square be designated as the site of a new Library facility. The Director of Planning had recommended that that site

be designated for the Performing Arts Center; but the fact of the matter was that the citizens of San Francisco want a new library and are now ready to work for a bond issue for that purpose. While alternative sites are available for the Performing Arts Center, no alternative sites are available for the Library; and she did not feel that the Library should be penalized for the inactivity of the past. She believed that either the Civic Auditorium or the Veteran's Auditorium could be rehabilitated to accommodate the Performing Arts Center; and she felt that designation of the Marshall Square site for the Performing Arts Center would literally destroy the Library. She urged that the site be designated for use by the Library.

Mrs. Joan Dillon, representing SEIU Local 400, stated that she appeared before the Commission at the direction of the membership of her union who had voted to oppose any use of Marshall Square except as the site of a new Library for the working people of San Francisco. She stated that her union has 40,000 members who live and work in San Francisco; and she indicated that she had been instructed to attend the next meeting of the Central Neighborhood Council to ask for endorsement of the position which the members of her union had taken regarding Marshall Square. She stated that they were frankly interested in jobs; and she felt that it was obvious that construction of two new public buildings would mean twice as many jobs as construction of only one new building. As a result, they felt that the Performing Arts Center should be constructed on another site so that the Library could expand onto Marshall Square. In conclusion, she stated that her members would further endorse many smaller theaters constructed throughout the city for the same reasons.

William M. Malone, a member of the Public Library Commission, remarked that the Library Commission had been criticized because it had not proceeded with the construction of a new library. However, given the wars in which this country has been involved and the inflationary crisis, the Library Commission had not wanted to do anything foolish. Still, he believed that the citizens of San Francisco would prefer to have a new library rather than a new performing arts center. He felt that the citizens of San Francisco deserve an opportunity to pursue self-education; and he hoped that the City Planning Commission would do its duty and give the Library Commission an opportunity to do its job.

Warren Hinkle III, representing Writers, Artists, and Taxpayers for a New Public Library on Marshall Square, stated that the Public Library in San Francisco was designated as the worst of its kind in an major city in 1958; and he believed that it had not improved during the interim. He acknowledged that the Library and its supporters had been slow in using their political and monetary influence to bring about the construction of a new library building; but he doubted that any public projects had been planned as long or as thoroughly as the new library building. He advised the Commission that local writers had first begun to be interested in construction of a new library when Dr. Starr had had to turn down an offer made by Harry Bridges to turn over the records of the San Francisco General Strike to the Library because the Library did not have space to store those documents. As a result,

those documents will be housed across the bay to the civic shame of San Francisco. When he had asked Dr. Starr what would be needed to house the facility, Dr. Starr had replied that a new Library facility in Marshall Square would be required. Each of the consultant studies which had been undertaken for the Library had concluded that a new facility for the Library should be constructed on Marshall Square; and the Library, in working out co-operative agreements with other institutions such as the University of California Library, had acted on the assumption that a new facility would be constructed on Marshall Square.

Commissioner Ritchie, noting that Mr. Belluschi, had stated that a combined use of the Marshall Square site would be architecturally feasible, asked Dr. Starr how he would feel about such an alternative. Dr. Starr replied that he had no theoretical problem with that proposal. However, the Library needs 400,000 square feet of space; and he felt that the new library facility must be constructed on Marshall Square.

Mrs. Jewel Johnson, a user of the Public Library and a member of the Board of Directors of Friends of the Public Library, stated that she felt that Marshall Square should be designated for use by the Library. She remarked that the Symphony and the Opera already play to full houses; and she felt that they have no need for further success. Furthermore, the people who patronize the symphony and the opera are not representative of the population of San Francisco. She asked for a how of hands of individuals present in the audience in support of the proposal to designate Marshall Square for use by the Library. Approximately 75 people responded.

Richard Reineccuis advised the Commission that Mr. Stewart had testified before the Board of Supervisors that revenue bonds would be sold as needed to finance construction of the Performing Arts Center. Yet, in 1966, the City had started a five year plan for the Performing and visual arts in San Francisco; and he had been told that money had been set aside by the Symphony Association at that time for construction of a new Symphony Hall. He was critical of the City because it supports only ACT, the Opera, the Ballet, and the Symphony and because it does not support any third world artistic activities. He commented on the fact that most performing arts centers are no bigger or better than the Orpheum, Warfield or Golden Gate theaters in San Francisco; and he noted that the electorate had voted very strongly against a bond issue for the Performing Arts Center in 1965. If a similar bond issue were to be placed on the ballot at the present time, he believed that the vote would be strongly negative again. In conclusion, he stated that it was his opinion that the Symphony would be better off with a smaller hall than the one being proposed by the sponsors of the Performing Arts Center and with more money to work with instead.

Gabriel Sheridan requested that some effort should be made to rehabilitate the Orpheum Theater for use as a performing arts center; and he believed that the Warfield Theater would be ideal for the San Francisco Ballet. He regretted that San Francisco had not been willing to spend \$1,250,000 to acquire and save the Fox Theater, which had a seating capacity of more than 4,300 people. However, he felt that the Orpheum and Warfield theaters should be preserved; and he

believed that their restoration would complement the public expenditure which is being made on the improvement on Market Street.

Barney Gould, stated that the Orpheum Theater could seat 2,400 people; and he indicated that it has some of the finest acoustics in the country. However, since the symphony had indicated that it does not wish to be located in the Orpheum Theater, he was supporting its proposal for a new Symphony Hall. Yet, he felt that the Commerce High parking lot would be a more suitable site for the new Symphony Hall than Marshall Square since the Commerce High site is immediately adjacent to the Opera House.

Commissioner Porter asked how long it would take the sponsors of the Performing Arts Center to raise the money needed for construction of their project. Mr. Stewart replied that the sponsors would authorize their architect to proceed with the design of the new facility as soon as Marshall Square is designated as the location for the Performing Arts Center. And, once the plans are ready, they would be used in a fund raising campaign. He expected that the fund raising campaign would either be completed or else abandoned within a two or three year period.

President Newman again requested the Director to clarify the Master Plan designation of the Marshall Square site prior to amendment of the Master Plan two weeks ago and to comment on statements made by individuals in the audience to the effect that they had thought that the Marshall Square site "belonged" to the library. The Director replied that the Civic Center Master Plan, prior to its revision by the Commission on July 25, had designated Marshall Square for development with a courts building. With regard to individuals who had stated that they felt that the Marshall Square site "belonged" to the Library, he felt that the individuals making such statements had probably believed that the property had been so designated even though no legal steps had been taken in that regard.

President Newman then asked about the San Francisco Chronicle editorial of January 15, 1969, which had stated that the City Planning Commission had agreed that the new library facility should be located on Marshall Square. The Director replied that the staff had searched the records of Commission meetings held around that date and had found that the Commission had acted to adopt a Capital Improvement Program Report which did contain a proposal for a bond issue for a new library building. However, a note had been affixed to that item stating that the location of the new facility was still undetermined.

Commissioner Ritchie asked if the Director would feel that the Commerce High parking lot would be a better site for the Performing Arts Center if that property were available. The Director replied that he believed that the Commerce High parking lot would be an acceptable site for the Performing Arts Center; however, he did not believe that it would be a better site than Marshall Square.

President Newman asked if it were the Director's opinion that alternate sites are available for a library facility in spite of the fact that no extensive study of that issue had been undertaken by the staff of the Department of City Planning. The Director replied that he believed that there would be alternate ways of meeting the space and storage needs of the Library.

Commissioner Rueda observed that representatives of the Library had taken the position that Marshall Square is the only site on which a new library facility could be constructed. The Director replied that he believed that a new public library could be built on other sites and that there was no necessity for a new library to be constructed directly adjacent to the old library building.

Mr. Belch stated that representatives of the library had taken the position that a new library must be built on Marshall Square because construction of a new building on that site would allow continued use of the existing building which could not be used by anyone else if it were to be vacated by the Library. Furthermore, the Library needs approximately 542,000 square feet of additional space to meet space requirements projected to the year 2000; and no other site in Civic Center would accommodate that amount of floor space. The City-owned property at 5th and Market Streets could not provide that amount of floor space unless a highrise building were to be constructed; and libraries do not operate efficiently in highrise buildings. Finally, he stated that construction of a new library facility on a site other than Marshall Square would double or triple the cost of the facility and would render the existing Library building absolutely useless.

Commissioner Fleishhacker moved adoption of the Director's recommendation. He remarked that the Commission had spent more than 4 and one-half hours in two meetings discussing the issue. The Library had stated that it would go out of business if it is not given the Marshall Square site. If he really believed that that was true, he would not have made the motion to approve use of the site by the Performing Arts Center; but he believed that there are always alternatives to any problem, including the problem of the Library.

The motion was seconded by Commissioner Rueda.

Commissioner Ritchie stated that he had not formed an opinion on the matter at the beginning of the hearing; and he was still not convinced that the Commerce High parking lot could not be made available for construction of a Performing Arts Center. That property is presently vacant; and it seemed to him that any prospective use of the site by the Board of Education should be secondary to use of the site for construction of a new Performing Arts Center. If the Performing Arts Center could be built on that site, the problem presented to the Commission by the Library would be unraveled.

Commissioner Porter remarked that Commissioner Ritchie was, in essence, telling the sponsors of the Performing Arts Center where their facility should be located; and she feared that the project might be abandoned if the City becomes too difficult. Furthermore, it made no sense to her to have two libraries on two of the blocks facing the Civic Center Plaza.

Mr. Stewart stated that he has a personal dislike for ultimatums. He advised the Commission that some people have been working on the Performing Arts Center since 1965; and he indicated that he had been working extensively on the project for two years. He stated that one of the key reasons for changing the site of the proposed Performing Arts Center from behind the Opera House to Marshall Square was that the Marshall Square site is well served by public transportation, thus minimizing the need for construction of a parking facility in conjunction with the performing arts building. If expense and time were no object, the Performing Arts Center could be built on the Commerce High parking lot; however, he believed that a refusal to designate the Marshall Square site for the Performing Arts Center would destroy the momentum of the project. Although he did not consider himself indispensable to the project; and although he realized that someone else would probably come forward to see that San Francisco gets the type of facility it wants, he felt that he could not maintain his momentum if the Commission were to say that the center should be built on the Commerce High parking lot rather than on Marshall Square.

Commissioner Mellon pointed out that both the Board of Education and the courts have plans for development of the Commerce High parking lot; and, as a result, a jurisdictional dispute could be expected even if the Performing Arts Center were to switch its plans from Marshall Square to that site. Furthermore, the Board of Education has some claim to the Commerce High parking lot site because it owns the property. However, that project was in the same position as the Library insofar as too few people have been interested to get the development started. He felt that a Performing Arts Center is extremely important to all of the citizens of San Francisco; and, when private sources have offered to raise 75% of the construction cost of such a facility, he felt that the city should take advantage of the opportunity, especially since such opportunities do arise often. He stated that he regarded Marshall Square as an important site; and, in his opinion, it would be a perfect site for the Performing Arts Center. Therefore, he intended to vote in favor of the motion.

Commissioner Ritchie asked if action by the Commission designating Marshall Square for use by the Performing Arts Center could be revoked if the sponsors of the Performing Arts Center failed to raise the funds necessary for the project. The Director replied in the affirmative, noting that the recommendation which he had given the Commission was that priority for use of Marshall Square be given "at this time" for a Symphony Hall.

When the question was called, the Commission voted unanimously to authorize the Director to report that the proposed use of Marshall Square for a symphony hall is in conformity with the Master Plan subject to the conditions which had been recommended by the Director. The Commission also recommended that the Director be authorized to report to the Director of Property that the City Planning Commission recommends to the Board of Supervisors that, of the alternate uses of the Marshall Square site, priority be given at this time for a symphony hall and that said square be so designated.

Commissioner Rueda then moved that the following resolution be adopted:

"BE IT RESOLVED, that the City Planning Commission, recognizing the space needs of the Public Library, does hereby authorize and direct the staff of the Department of City Planning to work with the staff of the Public Library to provide planning assistance toward the resolution of existing and future space requirements of the Public Library."

The motion was seconded by Commissioner Fleishhacker.

When the question was called the Commission voted unanimously to adopt the resolution as City Planning Commission Resolution No. 7224.

At 4:40 p.m. President Newman announced a 5 minute recess. The Commission reconvened at 4:45 p.m. and proceeded with hearing of the remainder of the agenda.

EE74.170 - APPEAL OF A DETERMINATION BY THE DEPARTMENT OF CITY PLANNING THAT AN ENVIRONMENTAL IMPACT REPORT WILL BE REQUIRED FOR A BANKING AND OFFICE BUILDING PROPOSED FOR THE NORTHEAST CORNER OF CALIFORNIA AND SANSOME STREETS.

Commissioner Ritchie stated that he had sold the subject property to its present owners; and, therefore, he intended to disqualify himself from consideration of this matter because of a possible conflict of interest. He then absented himself from the meeting room for the remainder of the meeting.

Selina Bendix, Environmental Review Officer, summarized the case report which had been prepared on this matter and explained the reasons why the staff of the Department of City Planning felt that an Environmental Impact Report should be required for the project.

Walter Costa appeared on behalf of the firm of Skidmore Owens and Merrill, the appellant.

After discussion, it was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7225 be adopted finding that the proposed project may have a significant effect on the environment and affirming the determination of the Department of City Planning that an Environmental Impact Report should be required.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

PUBLIC HEARING ON COMMUNITY SAFETY PLAN FOR THE COMPREHENSIVE PLAN OF SAN FRANCISCO, A PROPOSAL FOR CITIZEN REVIEW.

Allan B. Jacobs, Director of Planning, read the following statement:

"This is the first Public Hearing on the Community Safety

Plan, a proposal for citizen review. The Plan was presented to you on July 17, and since that time extensive distribution of the report has been made to individuals, neighborhood and professional organizations, and numerous public agencies.

"The Plan is in response to two state mandated general plan elements: (1) a Safety Element, calling for 'the protection of the community from fires and geologic factors', and (2) a Seismic Safety Element, 'consisting of and identification and appraisal of seismic hazards'.

"Today we are here to receive comments from citizens and groups on the objectives and policies proposed in the Community Safety Plan. These comments from the public are important to assist the staff in making appropriate additions or amendments to the proposed plan.

"Following the public review period it will be presented to you for consideration for adoption as part of the Comprehensive Plan. Hopefully this can be accomplished by September 21 date which the State has set for adoption of the Safety & Seismic Safety Elements."

Edward P. Joyce, Director of Emergency Services, expressed his support of the study which had been prepared by the staff of the Department of City Planning; and he stressed the necessity of having an emergency operations center in case of major disasters. While the staff report contained a statement to the effect that City Hall was apathetic to emergency planning, he had found the administration, particularly Mayor Alioto, to be extremely interested in emergency planning; however, he acknowledged that emergency planning locally, as well as state-wide, had been given low priority as "now" projects take precedence. Disaster operations, like insurance policies, tend to be a "sometime thing". In fact, less than 2¢ per person in the United States has been spent on disaster or emergency planning. He felt, however, that it is extremely important to have a workable disaster plan for San Francisco.

President Newman asked Mr. Joyce if he felt that the document which had been prepared by the staff did not respond satisfactorily to emergency operations. Mr. Joyce replied that San Francisco has had to hold back somewhat because the State has not approved our emergency planning. The staff report had stated that there had been a lack of exercises in San Francisco. He remarked, however, that exercises can be an illusory thing; and he felt that it was important to have the best possible planning before undertaking exercises. He advised the Commission that planning is being done cooperatively with Sonoma and Marin counties.

AUGUST 8, 1974

Frances Malone, representing Self Help for the Aging, remarked that the downtown Tenderloin district is a very densely populated area and is very vulnerable from a safety standpoint; and she indicated that she considered the staff report to be completely inadequate in terms of dealing with the safety problems of that area. Therefore, she wished to request that the Department of City Planning address itself to that issue more thoroughly in coordination with other agencies. In conclusion, she stated that she was distressed by the fact that so few people were in attendance at the public hearing on this important matter.

No one else who was present in the audience wished to speak.

President Newman announced that the hearing would be continued until the Commission's Regular Meeting on August 29, 1974, at 3:30 p.m. in Room 282, City Hall.

CONSIDERATION OF PROPOSED AMENDMENT TO ARTICLE IV, SECTION 3 OF THE RULES AND REGULATIONS OF THE CITY PLANNING COMMISSION. THE PROPOSED AMENDMENT WOULD CHANGE THE REGULAR MEETING DATE OF THE IMPLEMENTATION COMMITTEE FROM THE FRIDAY BEFORE THE FIRST THURSDAY OF THE MONTH AT 12:00 NOON TO THE LAST THURSDAY OF THE MONTH AT 12:00 NOON.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the proposed amendment be approved.

The meeting was adjourned at 5:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

~~SAN FRANCISCO~~
~~CITY PLANNING COMMISSION~~

Minutes of the Regular Meeting held Thursday, August 15, 1974.

The City Planning Commission met pursuant to notice on Thursday, August 15, 1974, at 2:15 p.m. in the meeting Room at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the Department of City Planning was represented by Edward I. Murphy, Assistant Director of Planning; George A. Williams, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Richard Gamble, Planner IV; Wayne Rieke, Planner IV (Zoning); Sidney Shaw, Planner IV; Lucian Blazej, City Planning Coordinator; Carl Ness, Planner III; Marie Zeller, Planner III-Administrative; Alan Billingsley, Planner II; John Mackie, Planner II; Arthur Fulton, Planner II; and Lynn E. Pio, Secretary.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meeting of July 11, 1974, be approved as submitted.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

CURRENT MATTERS

Edward I. Murphy, Assistant Director of Planning, gave the following status report on the proposed Subdivision Ordinance:

"The present moratorium on condominium conversions will end on October 22 with the Board of Supervisors having the option to extend the moratorium one month if necessary. So the timing of the proposed subdivision ordinance would be to have the ordinance in effect at the end of the moratorium period.

"With the assistance of the Department of Public Works and the City Attorney's office a tentative draft of the subdivision ordinance has been prepared and submitted to interested outside groups for review and comment. Such groups included the Park Merced Residents Organization, Associated Building Industry, Human Rights Commission, National Association of Realtors, SPUR, San Francisco Chamber of Commerce and various engineering groups. Written comments are being received from

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these groups and we are scheduling meetings with them. From the written comments and meetings we will prepare another draft of the ordinance. This draft ordinance will then be presented to the Commission for review and consideration.

"We had hoped to have the presentation to the Commission on August 29th. Presently this timing does not look likely although we will try to meet that date if at all possible.

"Mr. Tom Ford of the Department of Public Works and Mr. Mackie of our department are here today if you have any questions."

During the course of Mr. Murphy's report, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Mellon asked if the draft of the subdivision ordinance contained any provision requiring that a certain percentage of the tenants of the building must be willing to purchase their units before approval can be given to a condominium proposal. Mr. Murphy replied in the negative, indicating that there are substantial legal questions concerning that type of provision in California.

Commissioner Porter felt that it would still be better for the Commission to recommend and ordinance which, in its opinion, would be the best possible ordinance for San Francisco; and, if that ordinance was challenged, the courts would render a decision as to its legality.

Commissioner Rueda stated that he felt that the ordinance should have a provision requiring that all older building being converted into condominium be inspected to make sure that they are in compliance with all codes. Mr. Murphy stated that the draft ordinance did have such a provision.

Commissioner Fleishhacker stated that he did not agree with Commissioner Porter that the Commission should include a provision of doubtful legality in the draft of the ordinance. If the courts should throw out the ordinance on the basis of such a provision, the city would then be faced with the necessity of drawing up a new ordinance.

Commissioner Mellon stated that the ordinance would have a severability clause specifying that the validity of the remaining portions of the ordinance would not be affected if individual provisions of the ordinance were held to be invalid.

Commissioner Porter asked why a provision requiring that a certain percentage of the occupants of a building be willing to purchase their units before condominium approval can be granted should be legal in New York and not in California. Mr. Murphy replied that New York operates under different enabling legislation.

President Newman remarked that a number of condominium subdivision ordinances throughout the country have provisions specifying that certain fixed percentages of the tenants of existing buildings must favor condominium conversions before such projects can be approved.

President Newman stated that the City Planning Commission has a responsibility for protecting tenants' rights up to a certain point; and he felt that the question of establishing a percentage requirement in the San Francisco condominium subdivision ordinance should be referred to the Implementation Committee of the Commission for further discussion and recommendation.

George A. Williams, Assistant Director - Plans and Programs, made the following statement:

"On Monday the Board of Supervisors, by a vote of 9 to 1, voted to place on the November ballot a charter amendment similar to the Proposition C open space issue which was narrowly defeated in June. The measure has been revised to provide that 25% of the funds are to be used to renovate existing parks and recreation facilities. Certain other revisions were also made to broaden its voter appeal.

"The Open Space and Recreation Plan, adopted by the Commission, and the Program document endorsed by the Commission both call for renovation of existing facilities in addition to new facilities along the eastern shoreline, in high need neighborhoods and acquisition of certain hilltops for open space. All of these measures are provided for in the proposed charter amendment and it would be desirable for the Commission to endorse the ballot proposal. A draft resolution to that end is before you for your consideration."

Commissioner Fleishhacker stated that he had read in the newspaper that the Chamber of Commerce had already taken a position of opposition to the proposed Charter Amendment. However, he was under the impression that substantial changes had been made in the Charter amendment to overcome some of the objections raised by the Chamber of Commerce about the proposal which was on the ballot in June.

Mr. Williams stated that it was possible that the Chamber's reaction had been addressed to an earlier draft of the proposed Charter amendment; and he confirmed that the final draft of the amendment contains provisions which were proposed to meet the Chamber's concern.

Commissioner Ritchie asked if properties to be acquired under the proposed amendment would be acquired for the Recreation and Park Department by the Real Estate Department. Commissioner Mellon replied in the affirmative.

After further discussion, it was moved by Commissioner Mellon, seconded by Commissioner Ritchie and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 7226 and that the Charter amendment be endorsed.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), asked the Commission for an opinion as to whether use of the Burr House at 1772 Vallejo Street, a designated Landmark, for psychiatric offices would fall within the intent of the Conditional Use Authorization granted by the Commission on January 10, 1974. He stated that he had discussed the matter with residents of the subject neighborhood; and, while they had indicated that it appeared that the use would be appropriate, they wished to have one week to consider the matter in more detail.

Commissioner Fleishhacker noted that the Commission is interested in preserving Landmark buildings; and he emphasized that the present owner of the Burr House had expressed a desire to preserve and enhance that building. Under the circumstances, it made little difference to him whether the building was to be occupied by psychiatrists or practitioners of black magic as long as the use does not generate too much traffic.

Commissioner Mellon indicated that he was in agreement with Commissioner Fleishhacker.

President Newman asked what objections, if any, might be raised by residents of the neighborhood.

Mr. Steele replied that residents of the area would probably be concerned about the amount of traffic which would be generated by the use.

Commissioner Rueda stated that he had no personal objections to the proposed use; however, he felt that residents of the neighborhood should be consulted before a final decision is made by Mr. Steele.

Mr. Van Meter, agent of the prospective owner of the Burr House, stated that he understands that the prospective owner is interested in spending a considerable amount of money to improve the building; and he requested the Commission to find that the proposed use would be within the intent of the Conditional Use authorization previously granted.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that Mr. Steele be advised that it was the sense of the Commission that use of the Burr House for psychiatric offices would be within the intent of the Conditional Use authorization previously granted. The Commission also noted that Mr. Steele would still be in a position to act negatively on the request if strong concerns should be expressed by residents of the neighborhood within the next week.

R74.27A - FOLSOM STREET SIDEWALK VACATION - YERBA BUENA CENTER.

Richard Gamble, Planner IV, reported on this matter as follows:

"The Director of Public Works has forwarded the proposal to vacate a portion of the sidewalk on the north side of Folsom Street between Third and Fourth Streets for Master Plan conformity review.

"Yerba Buena Center's convention complex design calls for a truck ramp down to a subterranean loading zone which runs northerly mid-block under Harrison Street and emerges along the south side of Mission Street, feeding into Fourth Street. The loading zone serves the arena to the east and the exhibit hall to the west. Above the exhibit hall are the meeting rooms in the Harrison-Folsom block. The emergency exit stairs from these facilities open onto a sidewalk which is on private property, inside the truck ramp. The Redevelopment Agency is granting an easement for this sidewalk to replace what is being vacated for the truck ramp.

"The approved redevelopment plan for Yerba Buena Center does not address itself to this level of detail; however, it does provide for vacation of streets and provision of pedestrian ways and bridges. The Commission did review the design of the Convention Center in the EIR for Yerba Buena Center; in addition, it has approved the vacation of airspace and some sidewalk space for the pedestrian bridges over Mission and Howard Streets (R73.35 - September 13, 1973)."

Mr. Williams recommended that the sidewalk vacation be approved as in conformity with the Master Plan.

Commissioner Ritchie remarked that the Commission did not often have the authority to make recommendations which could so significantly affect a redevelopment project area.

No one was present in the audience to be heard on this matter.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the vacation of 441 feet of sidewalk on the north side of Folsom Street, commencing 98.5 feet easterly of 4th Street, is in conformity with the Master Plan provided that a 10 feet wide easement for sidewalk purposes around the truck ramp being accommodated by said vacation is granted by the Redevelopment Agency.

CU74.43 - AN "L" -SHAPED PARCEL OF LAND CONSISTING OF

1) 2820 CALIFORNIA STREET, SOUTH LINE, 110 FEET WEST OF DIVISADERO STREET; and

2) 1933-55 DIVISADERO STREET, WEST LINE, 110 FEET SOUTH OF CALIFORNIA STREET.

REQUEST FOR AUTHORIZATION FOR AN AMBULANCE SERVICE TO HOUSE TEN AMBULANCES WITH VEHICULAR ACCESS FROM BOTH CALIFORNIA AND DIVISADERO STREETS; IN A C-2 DISTRICT (UNDER ADVISEMENT FROM MEETING OF AUGUST 1, 1974)

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), stated that he had recommended on August 1 that the subject

application be approved subject to various conditions; however, following discussion by the Commission, he had requested that the matter be taken under advisement for two weeks so that he could personally compare the conditions which he was then proposing to the conditions which had been enacted by the Commission in 1970. He had also wished to compare the plans which had been submitted for the 1970 project with the plans which had been presented with the project presently being proposed. Before commenting on those comparisons, however, he wished to review the operational characteristics of the proposed facility. The facility would house ten ambulances, each having a two-man crew. Working shifts are twelve hours long starting at 6, 7, 8, 9 and 10:00 a.m. and p.m. The ambulances would be radio-dispatched from the proposed facility; and approximately 65% of the trips could be scheduled to suit availability of equipment. The busiest hours are between 11:00 a.m. and 3:00 p.m. The ambulance service receives 30 to 40 calls a day; and the average time required for each call is approximately one hour. An average of 4 or 5 emergency calls are received each day. The ambulances generally cover certain districts of the city and remain in those districts most of the day. When not actually on call, the ambulances wait at such places as hospital emergency parking areas. A maximum of 20% of the ambulance calls originate from the ambulance garage. The use would generate a nine car parking demand at the maximum; and, while the City Planning Code would require no off-street parking spaces for the proposed use, provision of off-street parking spaces could be required by the Commission. He indicated that the major changes in the plans were the access ramp now being proposed from California Street, relocation of gasoline servicing facilities and four parking spaces to an outdoor area off of Divisadero Street, and reduction of the size of the roof top recreational space. He then summarized the differences between the conditions established by the Commission in 1970 and the conditions which he was presently recommending, as follows:

"CONDITION
NUMBER

CHANGES

- "1. The new architect was recognized by changing the title of the plans.
- "2. Changed to recognize that building application No. 437923 has already been filed to construct this building.
- "3. The requirement of one street tree on Divisadero was added.
- "4. No change.
- "5. This condition was changed to require 4 parking spaces and the use of ambulance parking spaces for employee parking as needed rather than to require one loading space and 9 parking spaces because:
 - "A. The old parking plan did not leave enough aisle space.
 - "B. The design of modern ambulances makes use of a loading space impractical.

- "C. The new plan adds an entrance from California Street with exit only onto Divisadero. This makes a smoother circulation pattern without conflicts in vehicular movements, but it uses some space otherwise available for parking.
- "D. Using some of the ambulance parking spaces for employee parking when the ambulances are out will provide sufficient parking to satisfy the need.
- "6. This condition has been changed to delete part of the warning requirement because the new traffic pattern makes warning of vehicular traffic less necessary and because a loud warning sound would annoy residential neighbors.
- "7. No change.
- "8. This condition was changed to prohibit all general advertising on the site. By calling for removal of a specific billboard, the old condition implied that perhaps other general advertising signs might be approved.
- "9. No change.
- "10. No change."

President Newman asked if someone would be on the premises at all times. Mr. Steele replied in the affirmative.

President Newman then asked if the gate on Divisadero Street would be locked. Mr. Steele replied that it was his understanding that the gate would be fastened with a remotely controlled lock.

Commissioner Porter noted that the original plans had provided for a 20 foot setback on California Street and for planting of street trees along that frontage; and she wondered if those features had been retained in the revised plans. Mr. Steele replied that the revised plans call for the building to be constructed to the California Street property line; however, street trees would be installed.

President Newman asked if a gate would be constructed across the California Street driveway. A representative of the applicant replied in the affirmative; and, in response to further comments made by President Newman, he stated that the door being contemplated should make no more noise than the roll-up garage doors in the average house.

Commissioner Ritchie expressed concern about the warning buzzer which would be installed to alert pedestrians on Divisadero Street whenever ambulances are leaving the proposed facility. Mr. Steele replied that it might be possible for the applicant to use both a buzzer and a warning light during daytime hours and to use the light only at night.

Commissioner Ritchie remarked that the Commission had previously discussed the desirability of establishing a condition requiring that the ambulances leaving the proposed facility be prohibited from using their sirens for at least one block; and President Newman had requested that such a condition be prepared. Yet, no condition of that sort appeared in the draft resolution which had just been presented by Mr. Steele. Mr. Steele replied that the drivers of the ambulances would probably do whatever they feel is necessary when true emergencies arise; and he did not believe that such an inflexible and arbitrary condition should be established in this instance, particularly since similar conditions are not applicable to other ambulance services in the city. In any case, since a maximum of only 20% of the ambulance calls would originate in the garage, probably no more than one or two ambulances would leave the building on emergency calls each day.

Commissioner Porter stated that the proposed use is obviously needed; however, she remarked that it was also apparent that the use could be a nuisance in the subject neighborhood unless the operator of the ambulance service proceeds in absolute good faith and unless he has effective control over the actions of his employees.

President Newman stated that letters had been received in support of the subject application from several individuals who live or work in the vicinity of 2116 Sutter Street, where the ambulance service has been housed.

Robert Wharton, 1939 Divisadero Street, read and submitted the following petition which had been signed by 160 residents of the subject neighborhood:

"WE, the undersigned, respectfully request your consideration and adoption of the following:

"WHEREAS, the San Francisco Ambulance Service has filed with the City Planning Commission for a Conditional Use Permit to construct, in a C-2 district, a building on an 'L' shaped parcel of land known as 2829 California Street and 1933-35 Divisadero Street, to house ten (10) ambulances with vehicular access from both California and Divisadero Streets, and,

"WHEREAS, we are property owners, residents, and employees in the vicinity of California and Divisadero Streets, and,

"WHEREAS, we are concerned with the noise level, parking, traffic flow and quality of life in this area, and,

"WHEREAS, the management and owners of this Company have been lax in their supervision of employees and have permitted illegal and unwarranted use of sirens, loud speakers, tire screeching, and various kinds of loud obnoxious noise at all hours of the day and night, and,

"WHEREAS, a retail business known as the San Francisco Medical Supply Co. will be housed on the ground floor fronting on California Street, and,

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"WHEREAS, unless a severe restriction is attached to the granting of this permit, the Company management and owners will continue this disregard for the peace and quiet and quality of life in this area and will continue to practice their illegal and unwarranted use of sirens, loud speakers, tire screeching, and other loud obnoxious noise at all hours of the day and night,

"NOW THEREFOR BE IT ADOPTED, that there be incorporated into the building construction sufficient design to minimize the noise level of the vehicles entering and exiting this building, and,

"BE IT FURTHER ADOPTED, that upon any violation by the use of sirens, loud speakers, tire screeching, and other loud obnoxious noise, within a minimum of one full block of the building entrance and exit, this Conditional Use Permit be immediately revoked for this specially constructed building, and

"BE IT FURTHER ADOPTED, that sufficient off street parking be provided for the employees of the San Francisco Ambulance Service Co. and the San Francisco Medical Supply Co. and customers of the Retail Store, and,

"BE IT FURTHER ADOPTED, that unless the severe restrictions contained in this Petition are included in and part of the Conditional Use Permit, the undersigned protests the granting of this Conditional Use Permit, and,

"BE IT FURTHER ADOPTED, that ten (10) ambulances is the maximum number of vehicles to use and be housed at this location."

Commissioner Fleishhacker felt that the wording of Condition No. 5 of the draft resolution as prepared by the staff should be made more precise. He recommended that the language be changed to read as follows: "At least four off-street parking spaces must be provided on the site for employee parking."

President Newman asked if off-street parking would be provided for the commercial use which would occupy the California Street frontage of the building. Mr. Steele replied in the negative, indicating that most of that firm's business would probably be conducted by telephone.

Commissioner Fleishhacker observed that the commercial use would be principal permitted use with no parking requirement in a C-2 district in any case.

Commissioner Farrell estimated that the ambulance service would have approximately 30 employees on its staff; and he questioned whether the off-street parking spaces being provided would be sufficient to serve their needs. A representative of the applicant replied that employees may park in the ambulance stalls when the ambulances are in the field. Furthermore, many

of their drivers share rides to and from work. He stated that no employee parking is available on their present site; yet, none of their employees have experienced any trouble in finding a parking space.

Mr. Steele stated that his investigation had revealed that the ambulance service employs three executives who normally drive to work, one dispatcher and three secretaries who use public transportation, one secretary who drives to work with her husband who drives one of the ambulances, and nineteen additional drivers, 1/4 to 1/3 of whom drive their cars to work. Based on that information, he had estimated that the use would generate a maximum nine car parking demand over a 24-hour period.

Commissioner Ritchie requested that Condition No. 7 of the draft resolution be reworded to read as follows: "The use of sirens in the subject vicinity by ambulances housed at the subject property shall be restricted to emergency cases only and one block away."

After further discussion it was moved by Commissioner Mellon and seconded by Commissioner Porter that the draft resolution be amended as recommended by Commissioner Fleishhacker and Ritchie and that it be adopted.

A representative of the applicant stated that he had no objection to the requirement that sirens should not be used until the ambulances are one block away from the subject property; however, he wished to point out that ambulances owned by other ambulance services may use their sirens in the area.

When the question was called, the Commission voted unanimously to adopt the draft resolution, as amended, as City Planning Commission Resolution No. 7227 and to approve the application subject to the conditions which had been recommended by Mr. Steele, as revised. At this point in the proceedings, Commissioner Mellon absented himself from the meeting room for the remainder of the meeting.

PRESENTATION OF SCENIC HIGHWAYS REPORT.

George A. Williams, Assistant Director - Plans and Programs, made the following statement:

"The California Government Code requires that by September 20, 1974, each city and county general plan have a 'Scenic Highway element.'

"The Governor's Council on Intergovernmental Relations has spelled out what this Scenic Highway element should contain:

- "1. Identification and evaluation of 'scenic corridors' in the city,
- "2. Statements of policy protecting and enhancing the scenic value of the road environment, and a diagram designating the city's scenic highways,

"3. A guide to implementation measures.

"Most of the required parts of the Scenic Highway element were accomplished through the

"1. Urban Design Background Report #4, containing a road environment survey and evaluation, and,

"2. Through policies in the Urban Design, and Transportation Elements and the Northern Waterfront Plan.

"The report that was sent to you earlier in the week seeks to incorporate these materials into one document together with a description of implementation measures being taken in order to demonstrate the city's compliance with the requirement for a 'Scenic Highway Element.'

"It should be noted that a different approach to scenic highways was taken in San Francisco than that anticipated in the CIR guidelines, and that is, roads in the city have not been designated 'Scenic Highways.' There are two reasons for this. First, because we believe that scenic value in the road environment is served much better by a total approach to urban Form, as accomplished in the Urban Design Element; and, second, because it was felt that the designation of 'scenic highways' would cause new auto trips in San Francisco, thereby exacerbating existing congestion and having a negative effect on the environment. You will perhaps recall that at the public hearings on the Transportation Plan, there was a good deal of concern expressed in the community about some proposals calling for the development of certain streets as scenic routes. At that time it was felt such routes would generate unwanted auto trips. That public response was taken as a mandate not to designate new scenic routes.

"Dave Fulton, a member of the Transportation section, will now briefly summarize the substance of the report."

Mr. Fulton presented and summarized the report and responded to questions raised by members of the Commission. Copies of the report are available in the files of the Department of City Planning.

Mr. Williams then recommended the adoption of a draft resolution which he had prepared by which the Commission would endorse the report as evidence of compliance by the City and County of San Francisco with the State's requirement for a "Scenic Highway Element" of the City's comprehensive plan.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7228.

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PRESENTATION OF THE DRAFT OF THE TRANSPORTATION NOISE ELEMENT OF
THE COMPREHENSIVE PLAN -- A PROPOSAL FOR CITIZEN REVIEW.

George A. Williams, Assistant Director - Plans and Programs, made the following introductory comments:

"The next item on the calendar is another State-mandated general plan element -- TRANSPORTATION NOISE. The State requires that we calculate present and projected noise levels attributable to surface transportation facilities and arrive at conclusions and recommendations regarding compatible land uses and location of transportation facilities.

"Sidney Shaw will present the report on TRANSPORTATION NOISE. It is in the form of a Proposal for Citizen Review. Following this presentation, we will begin distributing the report to appropriate groups and individuals.

"After the review and hearings have been completed and necessary changes made, we will present the plan section of the report -- together with pertinent supporting data -- for adoption by the Commission as the TRANSPORTATION NOISE section of the ENVIRONMENTAL QUALITY element."

Mr. Shaw presented and summarized the report and responded to questions which were raised by members of the Commission. Copies of the report are available in the files of the Department of City Planning.

Mr. Williams then made the following comments:

"I would suggest that you set a date for the first public hearing to be held on September 5th. Whether additional public hearings are needed can be determined at that time. Because of the late delivery of the consultants report, we were not able to prepare and present to you the Proposal for Citizen Review until today. The State has established an adoption deadline of September 20th. It may turn out that we cannot complete the hearing and review process by the September 20th date, in which case we will need an extension of the adoption deadline. To be on the safe side, therefore, we have prepared a Resolution to be submitted to the State Council on Intergovernmental Relations along with a request for a six-week extension of the deadline.

"I would request that you approve this Resolution today. I would also request that you approve a motion to set the first public hearing on September 5th."

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7229 and to request the Council on Intergovernmental Relations to grant an extension of time to October 30, 1974, for adoption of the Noise Element.

It was subsequently moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the date of the first public hearing on the Transportation Noise Element of the Comprehensive Plan be scheduled on September 5, 1974, at 4:00 p.m. in Room 282, City Hall.

Commissioner Fleishhacker stated that he would like to have some indication from the staff of the extent to which the objectives and policies in the proposed Transportation Noise Element of the Comprehensive Plan would conflict with or infringe on objectives and policies stated in other elements of the Comprehensive Plan. He indicated that he was particularly concerned about the effect which the new policies might have on policies established in the Improvement Plan for Residence. If it appeared that the principles and policies of the Transportation Noise Plan would have a significant adverse effect on other principles and policies, he felt that the Commission might wish to ask the State Legislature to amend the legislation requiring preparation of the Transportation Noise Plan Element.

President Newman stated that he, also, was concerned that adherence to some of the policies and objectives stated in the draft of the Transportation Noise Element would discourage the construction of new housing in large areas of the city.

Mr. Williams observed that it is necessary to strike a balance between the objectives and policies in the various elements of the Comprehensive Plan.

The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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CITY PLANNING COMMISSION
MINUTES AND SUMMARY OF THE REGULAR MEETING
THURSDAY
AUGUST 22, 1974
ROOM 282, CITY HALL
2:15 P.M.

The City Planning Commission met pursuant to notice on Thursday, August 22, 1974, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; Virgil Elliott, John C. Farrell, Mortimer Fleishhacker, John Ritchie, Hector E. Rueda, members of the City Planning Commission.

ABSENT: None

The staff of the City Planning Commission is represented by Edward I. Murphy, Acting Director of Planning; George A. Williams, Assistant Director - Plans and Programs; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Lou Blazej, City Planning Coordinator; Alec Bash, City Planning Coordinator; William Duchek, Planner III; Wilbert Hardee, Planner III; Alan Lubliner, Planner III; Charna Staten, Planner III; Douglas Holmen, Planner II; Paul Rosetter, Planner II; Nancy Gin, Planner I; Marcy Lifton, Planner I; and Lynn E. Pio, Secretary.

George Williamson represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle.

President Newman introduced Messrs. Albert H. Bragini and Perry Liebeman, representatives of the 1974 City Planning Committee of the City Planning Grand Jury.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the minutes of July 25, 1974, be approved as submitted.

At this point in the proceedings, Commissioners Fleishhacker and Ritchie arrived in the meeting room and assumed their seats at the Commission table.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, reminded the members of the Implementation Committee (Commissioners Fleishhacker, Porter, Rueda) of the meeting scheduled next Thursday, August 29, at 1:00 Noon.

SUMMARY AND MINUTES OF
THE REGULAR MEETING

- 2 -

AUGUST 22, 1974

Mr. Murphy advised the Commission that a field trip will be scheduled next Thursday at 2:00 p.m. to visit properties to be considered during the Zoning Hearing to be held on September 5.

Mr. Murphy distributed copies of a letter addressed to the Clerk of the Board of Supervisors from the City Attorney concerning financial disclosure forms which must be filed by certain city officials. Commissioners who filed disclosure statements in April need not re-file. Others should file during the month of September providing the required information for the twelve month period ending March 31, 1974.

Mr. Murphy also distributed copies of a letter addressed to John A. Sutro of the Airports Commission regarding conflict of interest provisions of State Proposition A and Local Proposition B.

Alan Lubliner, Planner III, presented and summarized a memorandum concerning the status of the Transbay Terminal relative to Assembly Bill 3694 which would create a San Francisco Bay Area Transportation Terminal Authority which would acquire, construct and operate a regional bus terminal on the site of the present terminal. Copies of the memorandum are available in the files of the Department of City Planning.

At this point in the proceedings, Commissioner Elliot arrived in the meeting room and assumed his seat at the Commission table.

George A. Williams, Assistant Director - Plans and Programs, reported that the Bay Conservation and Development Commission's Waterfront Advisory Committee had met last Friday. At that meeting, decisions were made which will mean that office and residential uses will not be permitted between piers 7 and 24 as called for in the Northern Waterfront Element of the Master Plan. The special area plan developed by the Advisory Committee will probably be presented to the Commission in October. In response to a question raised by President Newman as to what would happen if the Commission should disagree with the uses proposed in the Advisory Committee's plan, Mr. Williams replied that the City could refuse to approve construction of the types of uses proposed in that plan or could independently seek amendment of State legislation to permit the uses which it feels would be more appropriate.

EE74.164 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE
DEPARTMENT OF CITY PLANNING RELATIVE TO A PRO-
POSAL TO CONSTRUCT A PUBLIC ASSEMBLY BUILDING
AT 2540-42 DIAMOND STREET.

Wilbert Hardee, Planner III, summarized the case report which had been prepared on this matter and explained the reasons why the

The first part of the report deals with the general situation of the country. It is a very interesting and informative study of the country's development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country's development.

The second part of the report deals with the economic situation of the country. It is a very interesting and informative study of the country's economic development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country's economic development.

The third part of the report deals with the social situation of the country. It is a very interesting and informative study of the country's social development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country's social development.

The fourth part of the report deals with the political situation of the country. It is a very interesting and informative study of the country's political development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country's political development.

The fifth part of the report deals with the cultural situation of the country. It is a very interesting and informative study of the country's cultural development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is easy to read. It is a valuable contribution to the study of the country's cultural development.

staff of the Department of City Planning felt that no Environmental Impact Report should be required for the proposed project.

The Commission then received and responded to comments made by the following members of the audience: Timothy Bratt, 30 Arbor Street; Sydney Clemens, 73 Arbor Street; John Rohosky, 2579 Diamond Street; John Brown, 36 Arbor Street; Stuart Wein, President of the Board of Directors of the Diamond Heights Neighborhood Association; Charles Flannery, representative of the Twin Peaks Congregation of Jehovah's Witnesses; and Richard Fleming, 2658 Diamond Street.

During the course of the hearing, it was moved by Commissioner Rueda, seconded by Commissioner Porter and carried unanimously that a discretionary review of the permit application for the proposed project be scheduled on September 12, 1974.

At the conclusion of the hearing, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried 6 to 1 that Resolution No. 7230 be adopted finding that the proposed project could not have a significant effect on the environment and affirming the Negative Declaration issued by the Department of City Planning. Commissioners Elliott, Farrell, Fleishhacker, Newman, Porter and Rueda voted "Aye"; Commissioner Ritchie voted "No".

EE74.166 - APPEAL OF A NEGATIVE DECLARATION ISSUED BY THE
DEPARTMENT OF CITY PLANNING FOR CABLE CAR LINE
EXTENSION ON TAYLOR STREET FROM BAY TO JEFFER-
SON STREETS.

Douglas Holmen, Planner II, summarized the case report which had been prepared on this matter and explained the reasons why the staff of the Department of City Planning felt that no Environmental Impact Report should be required for the proposed project.

The Commission then received and responded to comments made by the following members of the audience: Rino Bei, Program Manager of the Transit Improvement Program; Lowell H. Sucherman, Attorney for Fisherman's Wharf Merchants Opposed to the Cable Car extension; Sarah Dunne, a resident of San Francisco; Norman Bray, representative of the Traffic Engineering Bureau of the Department of Public Works; Charles Thielen, President of the Fisherman's Wharf Association; Alessandro Baccari, Chairman of the Mayor's Citizens Committee for the Preservation and Beautification of the Fisherman's Wharf area; Erwin Phillips, representing the San Francisco Council of District Merchants; Mary Jane Scharf, a San Francisco resident; and Mike Orlando, operator of a business establishment on Taylor Street.

SUMMARY AND MINUTES OF
THE REGULAR MEETING

- 4 -

AUGUST 22, 1974

At the conclusion of the hearing, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that Resolution No. 7231 be adopted finding that the proposed project could not have a significant effect on the environment and affirming the Negative Declaration issued by the Department of City Planning.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

~~SAN FRANCISCO~~
~~CITY PLANNING COMMISSION~~

Minutes of the Regular Meeting held Thursday, August 29, 1974.

The City Planning Commission met pursuant to notice on Thursday, August 29, 1974, at 2:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; R. Spencer Steele Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Lucian Blazej, City Planning Coordinator; Selina Bendix, Environmental Review Officer; William Duchek, Planner III; Mark Winogrand, Planner II; Gary Craft, Planner I; and Lynn E. Pio, Secretary.

Harry Johanesen represented the San Francisco Examiner; and Dan Borsuk represented the San Francisco Progress.

2:00 P.M. - 100 Larkin
FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 2:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on September 5, 1974.

3:00 P.M. - Room 282 City Hall
APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meetings of August 1 and 22, 1974, be approved as submitted.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, reported that the Board of Supervisors, meeting on Monday, had voted to approve reclassification of the Inner-Sunset area as requested by residents of the neighborhood. The Board has also postponed for one week consideration of a resolution petitioning the Public Utilities Commission to defer the proposed extension of the terminus of the No. 59 Cable Car line on Mason Street pending completion of definitive plans and programs for the project.

AUGUST 29, 1974

Mr. Murphy reported that the Board of Supervisors had approved a new fee schedule for environmental review matters. The new fee schedule will go into effect when it has been signed by the Mayor.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

EE74.127 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED POLICE FACILITIES ELEMENT OF
THE COMPREHENSIVE PLAN OF SAN FRANCISCO
(UNDER ADVISEMENT FROM MEETING OF JULY 25, 1974)

Selina Bendix, Environmental Review Officer, summarized the contents of the report.

When members of the audience were invited to comment on the report, John Bardis stated that he felt that the Police Facilities Master Plan element should be adopted before action is taken on the Environmental Impact Report for that document.

The Secretary stated that he had received a phone call from Henrietta Abrams who stated that she continued to be of the opinion that all of the district police stations, especially the Park Station, should remain unchanged.

Edward I. Murphy, Acting Director of Planning, recommended that the final Environmental Impact Report be certified as complete.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7232 be adopted certifying the completion of the report and finding that the project as proposed would not have a significant effect on the environment.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

FINAL CONSIDERATION OF PROPOSED POLICE FACILITIES ELEMENT
OF THE COMPREHENSIVE PLAN OF SAN FRANCISCO.
(UNDER ADVISEMENT FROM MEETING OF JULY 25, 1974)

Edward I. Murphy, Acting Director of Planning, made the following introductory comments:

AUGUST 29, 1974

"Before recommending that this Commission adopt the final draft of the Police Facilities Plan which is before you, I would briefly like to summarize the extent of public review this plan has received.

"The first draft plan and background report was presented at a joint meeting of both the Police and Planning Commissions on April 25, 1974. Over one thousand copies of the report were distributed and over twenty presentations were made by staff throughout the community during the month of May. Three public hearings before this Commission were held during the month of June and written input was accepted until mid-July.

"At the July 25 meeting of this Commission revisions to the draft plan were presented in response to community input. As outlined in the Director's memorandum of July 24, two basic revisions were proposed:

First: Policy 2 under Objective One was revised to affirm the nine-district concept for San Francisco; and

Second: A new Policy 3 under Objective One calling for decentralization of police services and operations.

"Copies of the Director's memorandum were mailed to our listing of over two hundred neighborhood organizations for their review.

"As you know, the Police Department's Bureau of Planning and Research under the command of Captain Sully has collaborated with us throughout this study and it is our joint feeling that the plan is both a flexible and an appropriate guide for meeting the facility requirements of the Police Department in a manner responsive to community desires for decentralized delivery of police services.

"It is the staff's recommendation that the revised draft before you titled Police Facilities August 1974 be adopted as a section of the Community Facilities Element of the Comprehensive Plan of San Francisco.

"Staff has prepared a resolution for plan adoption if this is your pleasure."

At this point in the proceedings, Commissioner Porter arrived in the meeting room and assumed her seat at the Commission table.

AUGUST 29, 1974

Mary Jane Scharf, Program Coordinator for Police Community Relations in San Francisco, stated that she was pleased that the draft plan had been amended to call for the retention of the nine existing district stations; and she hoped that the plan would be adopted by the Commission. She felt that some of the district stations should be relocated; however, she felt that it was important that the existing stations should not be phased out until the new buildings are completed.

Commissioner Fleishhacker, noting that the map following page 5 of the revised plan was difficult to read, asked if the map had been revised to reflect the nine district station concept. Lucian Blazej, City Planning Coordinator replied in the affirmative, explaining that the map was a xerox copy of a color plate. He stated that a color map, which would be easier to read, will be included in the final printing of the adopted document.

John Bardis, representing Save Our Neighborhood Stations, felt that the Commission should have studied the operations of the Police Department before proceeding to formulate a facilities plan. The approach which had been followed was in effect putting the cart before the horse; and he did not feel that the individual members of the Commission would go about planning a new home for themselves in the same way. He also noted that Supervisor Nelder had recently suggested that there is a need for a police facility downtown; and, since the Department of City Planning's Police Facilities Plan did not address itself to that need, it was obvious that the plan was already obsolete even before it had been adopted by the Commission. The document which had been prepared by the staff might be called a "policy statement"; but he felt that it should not be called "facilities plan".

Commissioner Fleishhacker called Mr. Bardis' attention to the introduction of the Police Facilities Plan, which read as follows:

"The purpose of the Police Facilities Plan is to establish objectives, policies, and criteria, for meeting San Francisco's long-range police facility requirements. The objectives address broad goals as they relate to the distribution, location, design and use of police facilities. Policies are courses of action which are supportive of the objectives and, together with criteria, provide a continuing guide and directive for public decisions.

"The plan deals with police facilities. It does not represent a plan for police operations. That task is the responsibility of the Police Department. However, the Police Facilities Plan recognizes that changes in operations will inevitably take place and that inherent flexibility to accommodate operational changes is an essential component of a responsive and effective facility plan."

Commissioner Fleishhacker then asked Mr. Bardis if he felt that changing the title of the report which had been prepared by the staff would make the report any better. Mr. Bardis replied in the negative; however, he did not feel that the public safety needs of San Francisco were made explicit in the report. He was also concerned about the fact that rational procedures had not been followed in preparation of the report.

Commissioner Fleishhacker observed that San Francisco is a city, that it has a Police Department, and that it has a crime problem; and, under the circumstances, he felt that it was obvious that the staff of the Department of City Planning did have some background in the subject before proceeding to prepare the Police Facilities Plan.

Mr. Murphy recommended the adoption of a draft resolution with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby adopt as an amendment to the Master Plan for the City and County of San Francisco that certain document and precise plan entitled, POLICE FACILITIES - August, 1974, and comprising of 20 pages;

"AND BE IT FURTHER RESOLVED, That certain document and precise plan entitled, POLICE FACILITIES - August, 1974, and comprising of 20 pages constitutes a substantial modification and addition to the existing Master Plan of the City and County of San Francisco, and any provisions of the existing Master Plan, whether appearing in the text or on a map, that are inconsistent with the said Master Plan amendment for Police Facilities are hereby declared to be of no further force and effect;

"AND BE IT FURTHER RESOLVED, That the President of the City Planning Commission and the Director of City Planning shall record the Commission action on

the text and on each of the maps comprising the Master Plan amendment for police facilities, and the Secretary of the Commission is hereby directed to certify an attested copy thereof to the Mayor and the Board of Supervisors, and the Director of Planning is hereby directed to publish the amendment in sufficient quantity for distribution to the public."

Subsequently, it was moved by Commissioner Porter and seconded by Commissioner Rueda that the draft resolution be adopted.

Commissioner Fleishhacker remarked that the Police Facilities Plan was somewhat different from other elements of the Comprehensive Plan which had been adopted by the Commission insofar as it relates to the operation of another city department; and, as a result, he indicated that he would like to see the Police Commission adopt the plan for the record so that it could be considered to be their plan as well as the plan of the City Planning Commission.

Mr. Murphy suggested that it might be better to ask the Police Commission to endorse the plan rather than to adopt it since adoption is the responsibility of the City Planning Commission.

Commissioner Porter felt that it would be unwise to request the Police Commission to endorse the plan since such an action would establish a precedent for the future by which elements of the Master Plan which might affect the operations of other departments would have to be endorsed by those departments.

Commissioner Fleishhacker felt that it might be a good thing to establish such a precedent. If plans developed by the staff of the Department of City Planning are impractical, he felt that the Commission should be so advised before it acts to adopt the plans; and, as far as he knew, the Police Commission had expressed no objections to the Police Facilities Plan.

Captain Sully, representing the Police Department, stated that his department had been involved in the preparation of the report and was in agreement with the final document; and he stated that the Police Commission would be willing to endorse the plan in writing. In reply to comments which had been made by Mr. Bardis he advised the Commission that police operations change from time to time; and, as a result, the Police Facilities Plan should be regarded only as a base to work from in the future.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7233.

SECOND PUBLIC HEARING ON COMMUNITY SAFETY ELEMENT OF
THE COMPREHENSIVE PLAN OF SAN FRANCISCO, A PROPOSAL
FOR CITIZEN REVIEW.

(UNDER ADVISEMENT FROM MEETING OF AUGUST 8, 1974)

Edward I. Murphy, Acting Director of Planning, made the following introductory comments:

"This is the second Public Hearing on the Community Safety Plan, a proposal for citizen review. The Plan was first presented to you on July 17, and since that time extensive distribution of the report has been made to individuals, neighborhood and professional organizations, and numerous public agencies.

"The Plan is in response to two state mandated general plan elements: (1) a Safety Element, calling for 'the protection of the community from fires and geologic factors', and (2) a Seismic Safety Element, 'consisting of and identification and appraisal of seismic hazards'.

"Comments on the proposed Plan were heard at the first public hearing held on August 8; written comments have been received; and the staff has met with groups and individuals to discuss the proposed objectives and policies.

"Today we are here to receive additional comments on the proposed Community Safety Plan. These comments from the public are important to assist the staff in making appropriate additions or amendments to the proposed plan.

"Following the public review period it will be presented to you for consideration for adoption as part of the Comprehensive Plan. We expect this will be accomplished by the September 21 date which the State has set for adoption of the Safety & Seismic Safety Elements."

Susan M. Smith, 1738 Jones Street, read and submitted the following prepared statement:

"I would like to comment as a resident of San Francisco. All residents should have an interest in earthquake impact on our lives - if and when this occurs. Over the past years, the minutes for Bay Area Conservation and Development Commission meetings have

The first of the series of papers in this volume is a paper by Dr. J. H. ...

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provided some insight into earthquake planning through the contribution (voluntary) of an engineering committee which included top experts in the field of structural engineering for earthquakes. Those of us who watched during this past year the British film, 'The City that Waits to Die' understand the implications of liquefaction along the Bay shoreline.

"Citizens owe a debt of gratitude to the California Legislature for its wisdom in making communities like ours think about earthquakes and how best to live with the threat.

"The City Planning Department has an awesome task in following this thread of danger from earthquakes through our individual and collective lives and lessening not only the potential loss in lives but the economic loss in dollars for our community. Thus it is exceptionally important to alert the community to these dangers and the Community (Earthquake) Safety Plan serves very well if it can be followed by specific action. Strong leadership by the Planning Department and Commission to implement the Community (Earthquake) Safety Plan is imperative.

"Comments and suggestions follow:

- "1. Let us be frank and descriptive and call this in all future documents and references, the Community Earthquake Safety Plan.
- "2. The U.S.G.S. has published maps and data called, 'Active Faults and Preliminary Earthquake Epicenters (1969-1970) in the Southern part of the San Francisco Bay Region by R.D. Brown and W.H. K. Lee, 1971'. Epicenters are located at Islais Creek, Lake Merced, Offshore along the San Andreas Fault and at San Francisco Intl. Airport. I think this map should be incorporated in the Community Safety Plan and the data and its implications discussed fully, in terms of the very large public facilities that are planned for just these epicenters.
- "3. It would be very desirable to have immediate implementation of Policy #3 on Page 33, the formation of a Reconstruction Planning Committee. Perhaps this committee should also become a preliminary 'hazard evaluation' committee along the lines of Policy #1 of Page 36.

"These policies read as follows:

"RECONSTRUCTION - Policy #3.

"Create a reconstruction planning committee to insure that development following a major disaster takes place in a timely fashion according to established objectives and policies.

"LIFE SAFETY - Policy #1.

"Apply a minimum level of acceptable risk to structures and uses of land based upon the nature of use, importance of the use to public safety and welfare, and density of occupancy.

"In the initial phase of the work of this committee, broad community expertise should be sought by having knowledgeable representatives appointed by the following community organizations: S.F. Medical Society, U.C. Medical School, major colleges and universities in S.F., architect, planning and structural engineering and geologic societies; federal state and local agencies - e.g. USGS, BCDC, Cal Trans, State Division of Mines and Geology. Representatives should be named by neighborhood organizations and public officials.

- "4. Government agencies with new development planned for San Francisco should be asked to review all such plans in line with the suggestion under Life-Safety, Page 36, Policy #3, 'Limit location of new facilities to sites outside special geologic study areas unless no viable alternative exists.'
- "5. The capital expenditure review by the City Planning Commission should require a section on mitigating earthquake hazards or new alternatives.
- "6. Of the four kinds of hazards shown on maps on pages 10 and 12 - three apply to San Francisco port land - liquefaction, subsidence and tsunamis. Because of the large public investment in this area, these problems and their implications should be assessed by experts at the earliest point in time."

Leonard Glazer felt that both the consultant report which had been prepared by John A. Blume & Associates and the staff report were very good; but he was concerned about the fact that

there seemed to be no 'conveyor belt' to get the information contained in the report out into the community. He believed that the earthquake problem in San Francisco cannot be dealt with without the support of a large majority of the residents of the city. He also felt that it was significant that the staff report did not discuss what he believed to be the most important danger in San Francisco, that of deteriorated parapets and cornices; and he noted that the city still is not enforcing a parapet ordinance which was passed five years ago. The Chief of the Bureau of Building Inspection had estimated that it would take between ten and fifteen years to complete the program contemplated in that ordinance; and, since the ordinance had already been ignored for five years, the project may not be completed until twenty years after the ordinance was adopted. He felt that the first action to be taken by the Commission on the issue of earthquakes should be to make an urgent request that the schedule for the program called for in the parapet ordinance be speeded up to make up for five years of doing nothing. Mr. Glazer observed that people in San Francisco are indifferent to the dangers posed by a potential earthquake; and he felt that it was time to alert the people to the very real danger involved. In order to do that, he suggested that pamphlets should be prepared and that slide shows should be given at every school in the city and to professional societies. The information should also be available at all police and fire stations. Without such information, he anticipated that there would be a great number of unnecessary accidents or deaths in the event of a major earthquake because people would not know whether they should run outdoors or stay indoors. Aside from parapets and cornices, he believed that the second greatest earthquake hazard in San Francisco is posed by old type-C building; and he believed that everyone who lives in such a building should be personally notified of the danger which they face. He also felt that the city should conduct public earthquake drills and that conferences should be held with the various professions involved; and, above all, he believed that the city should hire more building inspectors and engineers. He realized that some of the suggestions which he had made would be costly; and he felt that those costs should be born not by residents but by landlords who have built buildings which are now dangerous and have profited from them.

Commissioner Fleishhacker felt that the staff report did recognize the issues which had been raised by Mr. Glazer; and, to illustrate his point, he quoted the following paragraph from page 60 of the report: "It is imperative that the public understand earthquake hazards and, in turn, how to reduce the risk caused by these hazards. The public education program explaining

seismicity, emergency operations procedures in San Francisco, and what can be done to the private home in order to make it less vulnerable, could be implemented through courses offered in the public schools and adult education centers, and the placement of the critical information in a widely available, convenient permanent location such as the San Francisco Telephone Directory."

Mr. Glazer stated that his remarks were intended to supplement the comments contained in the staff report; and he felt that it was vital that a sustained program of education should be developed.

Commissioner Rueda observed that it would have been impossible for the staff of the Department of City Planning to make a lot by lot building condition survey throughout the city and to advise tenants of the buildings of any deficiencies which might exist.

Mr. Glazer stated that he believed that San Francisco is afraid to publish information about earthquakes because a loss of tourists might result. However, if he were an investor, he would have more confidence in a city which was visibly coping with its problem rather than a city which has a five year old parapet ordinance which is not being implemented. In conclusion, he stated that unless San Francisco initiates its program, the best structural engineers will already have been hired by other cities.

Commissioner Ritchie stated that he had been through five or six rather serious earthquakes; and he asked if Mr. Glazer had experienced a really big earthquake. Mr. Glazer replied in the negative.

Commissioner Ritchie stated that it seemed to him that people tend to become almost overly excited about the potential danger of earthquakes. While some of the earthquakes which he had experienced had been quite rough, not many people had been killed because most people know instinctively to get outside or in a doorway whenever earthquakes occur. Furthermore, he remarked that people who have not experienced a major earthquake tend to forget that the primary damage in San Francisco in 1906 resulted not from the earthquake but from the fire.

Mr. Glazer stated that he had talked with Professor Karl Steinbrugge, a seismic expert, in 1969. At that time, he had asked what would be a reasonable prediction of the number of deaths which might occur if an earthquake of the same magnitude

as the 1906 earthquake were to strike San Francisco today; and the Professor had replied that one could reasonably expect that between five and ten thousand people might be killed if such an earthquake were to occur during a rush hour.

Francis Malone, representing Self Help for the Aging, remarked that a great many of elderly and aging people live in the Tenderloin District and in downtown San Francisco; and she emphasized that those areas are the most vulnerable in terms of potential earthquake damage. The staff report was concerned mostly with reconstruction and with such issues as the parapet ordinance; and, while she recognized that it would not be possible to include everything in the staff report, she felt that the report should have dealt with the most vulnerable areas of the city. The staff had not sought community participation in the preparation of the report; and, before the report is adopted by the Commission, she felt that the staff should go into the community and talk with elderly people in plain English. Furthermore, she felt that the staff should avail itself of the expertise of the State Committee.

Edward Joyce, Director of the San Francisco Office of Emergency Services, advised the Commission that the city cannot legally conduct a public earthquake drill because of workmen's compensation restrictions. He stated that his agency had distributed 211,000 emergency operation plans plus 10,000 additional leaflets addressed to other types of emergencies. He advised the Commission that it had been his idea to place critical information in the telephone directory; however, since that proposal had met some real opposition, he was attempting to work out a supplement which could be inserted in the telephone directory. One of the major problems, however, was that people do not keep or refer to such documents. His agency had also undertaken a survey of 125 people, not one of whom regarded earthquakes as a problem; and that type of apathy was another one of the problems which he was facing. However, even though people are not ready to accept earthquakes as a problem, his staff was proceeding to work on a three county earthquake drill and to do everything else which could be done without a great deal of money to prepare the city for an emergency.

President Newman made the following closing comments:

"I wish to thank those who have appeared today for their comments and statements on the Community Safety Plan. Full note will be taken of them by the Commission and the staff in review of the draft report.

AUGUST 29, 1974

"I would urge others that would like to respond to this proposal to submit them to the Commission in writing at the earliest possible time. We would hope that those who have spoken today would also submit their comments in writing.

"This meeting will be continued for consideration of adoption of the Community Safety Plan to September 12 at 2:15 p.m. at 100 Larkin Street."

The meeting was adjourned at 4:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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Minutes of the Regular Meeting held Thursday, September 5, 1974.

The City Planning Commission met pursuant to notice on Thursday, September 5, 1974, in Room 282, City Hall, at 2:00 p.m.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; John C. Farrell, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Selina Bendix, Environmental Review Officer; Lucian Blazej, City Planning Coordinator; Charles Gill, City Planning Coordinator; Sidney Shaw, Planner IV; Alan Billingsley, Planner II; Ruth Friedlander, Planner II; Paul Rosetter, Planner II; Ralph Gigiello, Planner I; and Lynn E. Pio, Secretary.

Jack Viets represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, advised the Commission that yesterday afternoon's Examiner had reported that eight members of the Board of Supervisors had voted to place on the November 5 ballot a question as to whether Marshall Square should be used for a new main library or a performing arts center. The results of the vote on this question will be advisory only.

The Director informed the Commission that Richard B. Cunningham, Assistant Professor of Law at Hasting's College of the Law, had been granted permission by President Newman to make a video tape of portions of the Commission's meeting for instructional purposes in his classes.

The Director stated that one of the city's newspapers had erroneously reported that a 52 floor office building has been proposed for property located at 444 Market Street. In fact, the lot size of the property and the square footage of the floor space being proposed under the current building configuration would result in a 32 to 34 floor building. He advised the Commission that material is

currently being prepared for environmental evaluation of the project; and the proposed building would be reviewed by the City Planning Commission under its discretionary review policy for Market Street buildings when the project is formally submitted to the Department.

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7234 be adopted to express the sympathy of the Commission and the staff to the widow of former Mayor John F. Shelley.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Porter inquired about the status of plans for the new Saks Fifth Avenue building to be constructed on the northeast corner of Powell and Post Streets. President Newman stated that he had received a letter from the Foundation for San Francisco's Architectural Heritage requesting that the Commission conduct a discretionary review of plans for that building; and he was referring the request to the staff of the Department of City Planning for review and for a recommendation. The Director stated that he would be prepared to make a recommendation concerning the request for the discretionary review at next week's meeting.

At 2:10 p.m. President Newman announced a five minute recess. The Commission reconvened at 2:15 p.m. and proceeded with hearing of the remainder of the agenda.

CU74.44 - SCOTT STREET EAST LINE 112.5 FEET NORTH OF POST STREET; AND POST STREET, NORTH LINE, 87.5 FEET EAST OF SCOTT STREET.
REQUEST FOR AUTHORIZATION TO CONTINUE THE USE OF THE EXISTING PARKING LOT AND TO ADD AN ACCESS DRIVEWAY FROM SCOTT STREET OVER A LOT WHICH IS PRESENTLY VACANT; IN AN R-4 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which is an irregularly shaped parcel with a 25 foot frontage on Scott Street and a 55 foot frontage on Post Street for an area of approximately 11,520 square feet. A portion of the lot is partially vacant; and the remainder is developed as a parking lot for 32 automobiles. The existing parking lot on Post Street was authorized as a conditional use by the Commission in 1971 for a three year period

and the applicant was requesting permission to continue the parking lot use of that property. In addition, the applicant proposed to close the present access onto Post Street and to construct a driveway onto Scott Street through a presently vacant lot. Mr. Steele stated that a negative declaration had been issued on this matter on August 2, 1974, and had not been appealed.

Larry Jenkins, representing Mount Zion Hospital and Medical Center, the applicant, stated that he had nothing to add to the information which had been provided by Mr. Steele.

Arthur Ziegler, Attorney for the owners of property located at 2257-61 Sutter Street, a contiguous property, informed the Commission that his clients have a three foot easement across the existing parking lot. The easement was granted and recorded in 1950 and is still valid; however, Mount Zion Hospital has been using the easement and obstructing it. He stated that the problem would probably have to be resolved in the courts.

President Newman observed that any action taken by the Commission on the subject application would have no bearing on the legal issue of the easement.

Commissioner Porter asked if the issue of the easement had been raised when the Commission was considering the previous conditional use application for the parking lot in 1971. Bob Wright, Mr. Ziegler's client, stated that he was unaware at that time that the proposed use would jeopardize the easement. Commissioner Fleishhacker inquired about the purpose of the easement. Mr. Ziegler replied that the easement was for egress and ingress.

At this point in the proceedings, Commissioner Rueda arrived in the meeting room and assumed his seat at the Commission table.

Mr. Steele recommended that the application be approved subject to six specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Jenkins replied in the affirmative.

Commissioner Fleishhacker noted that the applicant had requested permission to park a specific number of automobiles on the property; and he suggested that one of the conditions of the resolution should limit the number of automobiles which could be parked to the number which had been requested by the applicant. Mr. Steele replied that Condition No. 1, which specified that the parking lot would have to be in conformity with the preliminary plans which had been filed, would, in fact, place a restriction on the number of cars which could be parked on the property.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7235 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU74.45 - 1615-17 BRODERICK STREET, WEST LINE, 100 FEET
SOUTH OF BUSH STREET.
REQUEST FOR AUTHORIZATION TO CONTINUE THE
USE OF THE EXISTING RESIDENTIAL CARE FACILITY
FOR 40 AMBULATORY PATIENTS; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a frontage of 37.5 feet on Broderick Street and an area of 4,981.25 square feet. He stated that the property has been used as a residential care facility for 40 ambulatory patients for approximately seven years; and the applicant was requesting permission to continue the present use. He indicated that a negative declaration had been issued on August 2, 1974, and had not been appealed.

Earsie M. Harrell, the applicant, stated that he had nothing to add to the comments which had been made by Mr. Steele.

No one was present in the audience to speak in favor of or in opposition to the subject application; and the Secretary advised the Commission that no correspondence had been received on this matter.

Mr. Steele recommended that the application be approved subject to seven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. He then summarized the conditions, emphasizing that Condition No. 1 would provide that the home could be used for the care of not more than 32 persons at any one time.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Harrell replied in the affirmative, indicating that the license which had been granted by the State stipulates that the number of patients cared for in the facility must be reduced to 30.

Commissioner Porter inquired about the basis for the staff's recommendation that the number of patients be reduced to 32. The Director replied that he had walked through the rooms of the building and had concluded that a maximum of 32 patients could be accommodated in the facility. He had not known of the State's requirement for reduction of the number of patients to 30.

President Newman suggested that it might be wise for the Commission to change the number of patients permitted by the draft resolution so that figure would be consistent with the State's figure. The Director replied that he would prefer to stand by his original recommendation since the State would have the ultimate say in the matter in any case.

Commissioner Fleishhacker asked how many patients are housed in the facility at the present time. When Mr. Harrell replied that the building is presently occupied by 37 patients, Commissioner Fleishhacker observed that the applicant would immediately be in violation of the Commission's resolution if the wording of Condition No. 1 of the draft resolution were not changed since that condition would specify that the building could be used by a maximum of 32 patients.

Mr. Harrell stated that the State had not set a time limit for reducing the number of patients to 30; however, his present license will expire on December 25 and will have to be reissued at that point.

The Director recommended that Condition No. 1 be modified to provide that the building should not be occupied by more than 32 patients after January 1, 1975.

President Newman asked if the January 1, 1975, deadline would be acceptable to the applicant. Mr. Harrell replied in the affirmative.

Commissioner Rueda noted that the subject property provides little outdoor recreational space for the patients. Mr. Harrell replied that residents of the building are regularly taken elsewhere for recreation.

After further discussion it was moved by Commissioner Fleishacker, seconded by Commissioner Rueda, and carried unanimously that the draft resolution, as revised, be adopted as City Planning Commission Resolution No. 7236 and that the application be approved subject to the conditions which had been recommended by Mr. Steele, as revised.

CU74.46 - 3040 CABRILLO STREET, NORTHEAST CORNER OF
32ND AVENUE.
REQUEST FOR AUTHORIZATION TO INCREASE THE
NUMBER OF PERSONS HOUSED IN A RESIDENTIAL
CARE FACILITY FROM 6 TO 10; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 95 foot frontage on Cabrillo Street and a 25 foot frontage on 32nd Avenue for a total area of 2,375 square feet. The building occupying the site is presently used as a residential care facility for six girls; and the applicant proposed to remodel the existing structure without significant exterior alteration to accommodate 10 dependent adolescents, aged between 13 and 18 years, who require by reasons of their youth and emotional problems a stable, therapeutic and vocational program. He stated that a negative declaration for the project had been issued on August 9, 1974, and had not been appealed.

Venita Tresko, the applicant, stated that she had nothing to add to the comments which had been made by Mr. Steele.

President Newman stated that letters had been received from Charles J. Benson, 3030 Cabrillo Street and from Emil Hansen, 810 33rd Avenue, objecting to increasing the number of people housed in the facility. Mr. Benson's letter also noted that there is a similar facility on 31st Avenue which backs into the east side of the subject lot.

Commissioner Porter asked how many boys are housed in the facility on 31st Avenue. Ms. Tresko replied that the facility is licensed for six but that only five are in residence at the present time.

Mr. Steele recommended that the application be approved subject to seven specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

Commissioner Porter, noting that Condition No. 1 of the draft resolution specified that the authorization would be granted for the care of not more than 10 "persons" at any one time, suggested that it might be better to specify the sex of the occupants in the resolution. Mr. Steele replied that the applicants had indicated that they might wish to house boys instead of girls in the future; and, for that reason, the word "persons" had purposely been used in Condition No. 1 of the draft resolution.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Ms. Tresko replied in the affirmative.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7237 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU74.47 - 240-258 CLINTON PARK, NORTH LINE, 218
FEET EAST OF DOLORES STREET.
REQUEST FOR AUTHORIZATION TO ENLARGE THE
EXISTING MORTUARY PARKING LOT; IN AN R-4
DISTRICT.

Lewis Felder, the applicant, stated that he had been reviewing plans for the parking lot with Miss Jaffe of the staff of the Department of City Planning; and, they had not yet seen eye to eye on the matter. He believed that a compromise solution could be worked out if additional time were available. Therefore, he requested that consideration of this matter be postponed for thirty days.

Allan B. Jacobs, Director of Planning, recommended that hearing of this matter be postponed until the meeting of October 3, 1974.

Subsequently, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that consideration of this matter be postponed until the Commission's meeting on October 3, 1974.

CU74.49 - 1021 QUINTARA STREET, SOUTH LINE,
60 FEET WEST OF 19TH AVENUE; AND
THE REAR PORTION OF 2115 - 19TH
AVENUE, WEST LINE, 100 FEET SOUTH
OF QUINTARA STREET.
REQUEST FOR AUTHORIZATION TO EXPAND
AN EXISTING PARKING LOT TO PROVIDE 23
ADDITIONAL OFF-STREET PARKING SPACES;
IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a total area of 9,300 square feet. The land is presently vacant. The applicant proposed to expand an existing off-street parking lot for two adjacent office buildings from 62 parking spaces to 85 parking spaces. Circulation within the parking lot would be altered; and an additional exit would be created. The vacant lot would require excavation to connect the additional parking area with the existing lot; and a retaining wall reaching a maximum height of 8 feet would be constructed along the western property line. A negative declaration for the project had been issued on August 16, 1974, and had not been appealed.

Commissioner Porter, noting that the subject property had previously been occupied by a nursery, asked if the nursery had been removed because it was a non-conforming use. She also asked if the nursery had wanted to move. Mr. Steele replied that the nursery had been removed because it was a non-conforming use with a termination date in 1970; and he indicated that the nursery had not wished to move since it did a good business at the subject location.

Commissioner Porter then observed that it was unfortunate that the nursery had had to go out of business because nurseries tend to be an amenity and an asset to neighborhoods in which they are located.

Andrew Cresci, representing the applicant, stated that he had no comments to make regarding the application at the present time.

No one else was present to speak in favor of or in opposition to the application.

President Newman stated that a letter had been received from the owner of property at 950 Quintara Street in opposition to the application.

At this point in the proceedings, Commissioner Miller arrived in the meeting room and assumed his seat at the Commission table.

Mr. Steele recommended that the application be disapproved. He stated that the proposed parking lot, would, in fact, be an extension of two non-conforming use office buildings which will be required to terminate by 1990. He indicated that 19th Avenue is planned and zoned for residential use; and he believed that expansion of the parking lot would further detract from the residential nature of the residential area along 19th Avenue, as well as the residential area to the west of the property. He pointed out that the driveway to the parking lot would be located on a residential street and that it would be immediately adjacent to a residential dwelling. The City Planning Code would permit construction of 12 dwelling units on the subject property; and such construction would be in conformance with the adopted Plan for Residence. Finally, he stated that the applicant had not demonstrated a substantial need, nor a public benefit to be derived from the proposed parking lot; and, as a result, it was clear that the requirement for a conditional use as specified in Section 303 of the City Planning Code had not been met.

Mr. Cresci stated that it was the opinion of his firm that the additional off-street parking being proposed would enhance the neighborhood since people presently visiting the office buildings must park on residential streets in the area. He stated that the landscaping plan which had been submitted would call for 25 trees on the site; and, as a result, he felt that the proposed plan would improve the appearance of the existing lot which would become more attractive than when it was developed as a nursery. He remarked that the letter which had been sent in opposition to the proposal had stated that traffic from the parking lot had interfered with use of private driveways; but he felt that construction of a second means of egress from the parking lot would help to alleviate that problem.

Commissioner Fleishhacker asked Mr. Cresci if he felt that it would be possible to improve the property for residential use. Mr. Cresci replied in the affirmative but remarked that the property's proximity to 19th Avenue makes it somewhat less than desirable for residential use.

Commissioner Ritchie observed that the proposed parking lot would alleviate on-street parking congestion in the area; and he felt that the landscaping which had been proposed by the applicant would improve the appearance of the area. Therefore, he moved that the application be approved. The motion was seconded by Commissioner Farrell who stated that he, also, felt that the appearance of the neighborhood would be improved if the vacant lot were to be paved and landscaped.

Commissioner Fleishhacker emphasized that the subject neighborhood is a residential area and that even 19th Avenue is zoned for residential use; and he pointed out that commercial uses are non-conforming in such areas. He stated that a parking lot is a commercial use; and he did not see how such a use could benefit the neighborhood. He felt that the property should be developed as it is zoned, for residential use.

Commissioner Miller stated that he agreed with Commissioner Fleishhacker.

Commissioner Ritchie stated that he believed that it would be a benefit to the neighborhood to have automobiles visiting the office buildings parked in a parking lot rather than on the street.

Commissioner Porter recognized that there is a need to get automobiles off of the streets; however, even if expansion of the subject parking lot were approved, there would still be a lack of adequate curb-side parking. In any case, the movement of automobiles in and out of the parking lot would be disruptive; and she agreed with the Director that the application should be disapproved.

When the question was called, Commissioners Farrell and Ritchie voted "Aye" and Commissioners Fleishhacker, Miller, Newman, Porter, and Rueda voted "No". The motion therefore failed for want of a majority vote.

Subsequently, it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and carried 5-2 that Resolution No. 7238 be adopted and that the subject application be disapproved.

Commissioners Fleishhacker, Miller, Newman, Porter, and Rueda voted "Aye"; Commissioners Farrell and Ritchie voted "No".

At 3:05 p.m. President Newman announced a 15 minute recess. The Commission reconvened at 3:20 p.m. and proceeded with hearing of the remainder of the agenda.

EE74.65 - PUBLIC HEARING ON ENVIRONMENTAL IMPACT
REPORT FOR IMPROVEMENT OF BADEN STREET
BETWEEN MARTHA AND MANGELS AVENUES.

Selina Bendix, Environmental Review Officer, summarized the contents of the Environmental Impact Report which had been prepared for this project. The Commission then received and responded to comments made by members of the audience including Peter Cristelman, representing the Glen Park Association; Dave Waugh, owner of property which would be served by the proposed street; Margo Bracco, a resident on Congo Street; and Lillian Sambran, owner of three of the lots which would be served by the proposed street.

During the course of the hearing, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the staff be requested to summarize the remarks which had been made by Mr. Cristelman and to include them in the text of the Environmental Impact Report.

At the conclusion of the hearing, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7239 be adopted, certifying that the Environmental Impact Report, as amended, as completed and in compliance with the California Environmental Quality Act and the State Guidelines, and, finding further, that the project as proposed will not have a significant effect on the environment.

A standard tape recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At this point in the proceedings Commissioner Rueda absented himself from the meeting room for the remainder of the meeting.

EE74.4 - PUBLIC HEARING CN ENVIRONMENTAL IMPACT
REPORT FOR A 43 UNIT APARTMENT BUILDING
PROPOSED FOR CONSTRUCTION AT 1790 BROAD-
WAY.

Selina Bendix, Environmental Review Officer, summarized the Environmental Impact Report which had been prepared for this project. The Commission subsequently received and responded to comments made by members of the audience including Harold Dobbs, Attorney for the applicants; Chester Rhodes, Co-chairman of the Gough Street Property Owners Association; and Ralph Coffman, representative of the Board of Directors of the Pacific Heights Association and the owner of property located on Vallejo Street.

At the conclusion of the hearing, it was moved by Commissioner Fleishacker, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7240 be adopted certifying the completion of the report in compliance with the California Environmental Quality Act and the State Guidelines and finding that the project as proposed will not have a significant effect on the environment.

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION
NO. 430102 FOR A 43 UNIT APARTMENT BUILDING PROPOSED
FOR CONSTRUCTION AT 1790 BROADWAY.

Allan B. Jacobs, Director of Planning, noted that this project had been described during the course of the public hearing on the Environmental Impact Report which had just been completed; and he recommended that the Building Permit Application be approved as submitted.

Harold Dobbs, Attorney for Harry and Helen Som, architects and developers of the proposed project, advised the Commission that both of his clients had distinguished themselves in the architectural field. He stated that the buildings presently occupying the subject property are delapidated, one being vacant and the other having been condemned by the city; and he noted that apartment buildings with a height equal to the proposed building presently exist immediately adjacent to the site on the east and across the street on the west. He also called attention to and submitted petitions which had been filed by residents of the subject neighborhood in support of the proposed building. He remarked that the subject site is an expensive piece of property which is legally zoned for R-4 development at the present time; and he observed that the property had been zoned R-5 when plans for the proposed building were filed in December, 1973, although his clients were aware that the re-zoning, which has since been approved, was being considered at that time. He stated that the building plans which had been prepared by his clients conform to the R-4 standards of the City Planning Code and, in some cases, such as the number of units proposed, would not take maximum advantage of the code provisions. The building had been designed artistically with bay windows and balconies; and he felt that it would be a beautiful addition to the existing buildings on Broadway. The number of curb cuts for the project had been minimized, with the same entry being used for automobiles to be stored on both levels of the parking garage in the building. The proposed building would cost approximately \$1,700,000; and it would provide more square footage per unit than many other apartment buildings on Broadway which were built under R-5 zoning standards which permit greater bulk and density. He displayed photographs of existing development on other corners along Broadway at Franklin, Octavia, and Laguna Streets; and he remarked that the proposed building, which would be located at the corner of Broadway and Gough Streets would be comparable to those other buildings. He hoped that the Commission would find the building to be in conformity with high standards of good architecture and good planning and that they would approve the permit application. In conclusion, he stated that other people were present in the audience who would be willing to speak in support of the project if the Commission so desired.

President Newman asked the Director if the proposed building would be in compliance with the Urban Design Plan. The Director replied in the affirmative, indicating that the building would be within and lower than the height standards stated in the Urban Design Plan, within the bulk limitations of that plan, would have bay windows as recommended in the plan, would be light in color as recommended in the plan, and would have a minimum number of curb-cuts. In addition, as demonstrated during the public hearing on the Environmental Impact Report, the building would bring only minimal new

shadow effects to the neighborhood. While the City Planning Code would have required a rear-yard setback of 20 feet on Gough Street, the plans which had submitted, called for a 25 foot setback in that area although some of the bay windows would project into the setback area. The plans called for no setback along Broadway; and he indicated that he would not have regarded such a setback to be desirable. In conclusion, he stated that he would not have designed the building as it had been designed; but he acknowledged that that was not his job.

Irwin Manne, representing the owners of property located at 1770 Broadway, advised the Commission that the building with which he was concerned stands immediately to the east of the subject property and has a height equal to that of the proposed building. He remarked that the Environmental Impact Report which had been prepared for the proposed project did not make any mention of the fact that some of the windows on the west side of 1770 Broadway would be closed entirely by the new building and that others would face a narrow light-well following construction of the new building. Light and air would be lost; and a substantial number of tenants in the building at 1770 Broadway would be directly affected by the proposed construction project. Yet, the Environmental Impact Report had recommended no means of mitigating that impact. He stated that he had no argument with the architectural features of the proposed building; but he felt that the designer of the building had not taken into account the fact that people and not mice live in the adjacent building.

President Newman asked if the proposed building could legally be constructed up to the easterly property line of the property. R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), replied in the affirmative.

Commissioner Fleishhacker inquired if the windows on the west side of the building at 1770 Broadway are illegal. Mr. Steele replied that the windows on the lot line are illegal.

Mr. Manne stated that one window on each floor of the building at 1770 Broadway is located on the lot line. Other windows on the west side of the building are not located on the property line; and some of these windows provide the only light and air for certain dwelling units in the building. He felt that the developer should have been neighborly enough to take those factors into account. In reply to a question raised by Commissioner Ritchie, Mr. Manne stated that most of the windows on the west side of the building are located 6 or 8 feet from the property line; however, a light court with such a small width would provide very little light and air, particularly for

dwelling units on the lower floors of the building. While Mr. Dobbs had extolled Mr. Som's credentials, it seemed to him that the building design which had been conceived by Mr. Som was not humanitarian; and the only way in which it could have a worse effect on the building at 1770 Broadway would be for it to cross the property line, which would be illegal.

Commissioner Porter asked about the number of dwelling units in the building at 1770 Broadway. Mr. Manne replied that the building has 36 dwelling units. In reply to a question raised by Commissioner Ritchie, Mr. Manne stated that the west side of the building probably has 40 or 50 windows.

Commissioner Ritchie then asked Mr. Manne what he would do about the problem if he were Mr. Som. Mr. Manne replied that he felt that it would be desirable for the proposed building to provide a setback comparable to the setback which the building at 1770 Broadway provides along the common lot line. However, any changes which might be made in the plans for the building should be reasonable and not of economic distress to the developer.

Commissioner Ritchie emphasized that the City Planning Code would not require the proposed building to provide a setback along the property line.

Ralph Coffman, representative of the Board of Directors of the Pacific Heights Association and owner of property on Vallejo Street, observed that while the proposed building might be in conformity with all of the requirements of the City Planning Code, the discretionary review authority of the Commission enables it to consider broader issues such as health, safety, and the general public welfare. He remarked that the building at 1770 Broadway has existed for 40 or 50 years; and he believed that the issues which had been raised by Mr. Manne was very appropriate to a discretionary review hearing. In addition, the Environmental Impact Report had stated that north-bound traffic on Gough Street would be increased by 23% by the proposed building; and he felt that the parking and traffic congestion which would be caused by the building would be significant factors to consider. The proposed building would have 22 two-bedroom units and 21 one-bedroom units; and the two-bedroom units would rent for \$600 to \$700 a month. Under the circumstances, he felt that many of the units in the building would be occupied by single people; and, if so, the 43 off-street parking spaces being provided would not be sufficient to accommodate the cars owned by residents of the building. He felt that the City Planning Code requirement for one off-street parking space for each dwelling unit is inadequate; and he suggested that a proper use of the Commission's discretionary review authority would result in a requirement for one off-street parking space for each bedroom in the proposed building.

Commissioner Fleishhacker inquired about the ratio of off-street parking spaces in other buildings in the subject neighborhood, including Mr. Coffman's own house. Mr. Coffman replied that most of the single family houses in the area probably have three or four bedrooms and one off-street parking space.

Commissioner Fleishhacker then observed that the Commission often hears owners of older buildings complaining about new buildings which are being proposed.

Mr. Coffman stated that restrictions which pertained to residential construction in the past were inadequate; and he remarked that some of the buildings in the neighborhood were built as long ago as the 1890's. He felt that Commissioner Fleishhacker was suggesting that new buildings should be no better than those which were built in the past, while his own position was that the parking requirements of the City Planning Code should be re-evaluated.

Commissioner Porter noted that the principal issues which had been mentioned were those of parking and the effect which the proposed building would have on the light and air available to units on the west side of the building at 1770 Broadway. But no one had yet suggested that the proposed building should not be constructed. She asked if Mr. Coffman was taking that position. Mr. Coffman replied that he did not oppose construction of the proposed building; however, he felt that 65 off-street parking spaces should be required.

Commissioner Porter observed that it would be difficult for the Commission to require the proposed building to meet a parking standard which is not being met by any other buildings in the city.

The Director indicated that he was of the opinion that a requirement for one off-street parking space for each bedroom would tend to encourage developers to provide fewer bedrooms so that they could avoid the higher parking requirements. Giant studio or one-bedroom apartments might then result, which would be appealing to groups of single people; and the argument might then be made that there should be a parking requirement for more than one off-street parking for one-bedroom apartments. He stated that he frankly could not accept the substance of Mr. Coffman's argument; and, in fact, data indicates that car ownership per dwelling unit tends to decrease in buildings located closer to the downtown area.

President Newman observed that the subject property is located in a very densely populated area; and, while one off-street parking space for each dwelling unit might be sufficient to serve residents of the area, he felt that the building might be more desirable if it were to provide some off-street parking spaces for guests.

Mr. Som stated that he owns three buildings in San Francisco which meet the one-for-one parking requirement; and each of the buildings has a surplus of off-street parking spaces.

Mr. Coffman stated that one of those buildings is located on Telegraph Hill and that one of the others is located on Nob Hill.

Commissioner Ritchie stated that it was his opinion that the proposed building should be set back from the common property line to the same extent that the building at 1770 Broadway is set back from the line, but that it should be allowed to meet the property line where the other building meets the property line; and he wondered what the Director's thoughts on that matter were.

The Director responded that he viewed the window situation as a potential real issue; and he felt that the way to mitigate the problem would be to change one two-bedroom unit in the rear of the proposed building to a one-bedroom unit, on each floor.

Commissioner Porter stated that she was sympathetic with the developers who had drawn up their plans in accordance with the City Planning Code; but she did agree with Commissioner Ritchie that it would be desirable to try to resolve the window problem, if possible. Otherwise, she feared that some of the apartments in the building at 1770 Broadway would become slums or second-rate apartments.

Commissioner Fleishhacker remarked on the fact that the developer of the building at 1770 Broadway had had the foresight to set his building back from the property line; and, as a result, he must have anticipated the construction of a new building next door. While the plan changes being suggested by Commissioner Ritchie and Porter might be practical, he felt that it would be unfair to require the developers to change their plans at this point.

Commissioner Porter asked if the developers felt that they could change their plans to bring about some mitigation of the window problem. Mr. Som replied that even if his building were to be set back 8 feet from the common property line, the dwelling units in the building at 1770 Broadway would still be bad apartments. He indicated that the building has 36 studio units; and he felt that the building could be remodeled into a smaller number of larger units, all of which would have access to light and air.

Commissioner Miller noted that Plate 6 of the Environmental Impact Report for the subject project indicated that six of the buildings presently existing in the subject block of Broadway abut a property line.

Mr. Manne stated that not all of the units in the building at 1770 Broadway are studio units; however, he confirmed that the units which would be most affected by the light-well problem are studio units which receive their only light and air from the western windows of the building. Remodeling of the older building would not be easy and would probably not be economical since remodeling costs are more expensive than the cost of new construction; and, since the light-well problem would still exist, remodeled larger units would probably not command rents comparable to the units in the building proposed by Mr. Som.

Beatrice Kirschenbaum, owner of property on Gough Street between Vallejo and Green Streets, advised the Commission that it is extremely hazardous for her to back out of her garage at the present time since Gough Street is used as a "speed way"; and she emphasized that the Environmental Impact Report had stated that the proposed development would increase north-bound traffic on Gough Street by 23%. She also questioned the premise that additional residential units are needed in a neighborhood which, in her opinion, is already over-built, especially in view of the fact that a huge new apartment building is already being constructed at the intersection of Broadway and Franklin Streets.

The Director noted that he had recommended at the beginning of the hearing that the Building Permit Application be approved as submitted. However he did feel that the side yard issue which had been raised was worthy of further consideration; and he noted that the Commission in the past had tried to use its good offices to work out problems of that sort. At the same time, he was aware of the time restraints which the applicants were probably facing. Therefore, he recommended that the matter be taken under advisement for one week in order to enable the staff of the Department of City Planning to look into the sideyard issue and to see if any solution to the problem could be reached.

After further discussion it was moved by Commissioner Ritchie and seconded by Commissioner Fleishacker that the matter be taken under advisement until the meeting of September 12, 1974, at 3:15 p.m.

Commissioner Fleishacker asked that a little more information concerning the windows in the building at 1770 Broadway be made available to the

Commission next week. The Director stated, that he, also, wished to become more familiar with the windows; and, therefore, he would appreciate being given permission to enter the building.

Mr. Manne stated that he would arrange with the building manager to allow the staff of the Department of City Planning to enter the building.

Mr. Dobbs asked if he were correct in his understanding that the Commission was satisfied with all other aspects of the project. President Newman replied that that was the consensus of the Commission.

When the question was called the Commission voted unanimously to continue this matter until its meeting on September 12, 1974, at 3:15 p.m. in Room 282, City Hall.

PUBLIC HEARING ON DRAFT OF THE TRANSPORTATION NOISE
ELEMENT OF THE COMPREHENSIVE PLAN -- A PROPOSAL FOR
CITIZEN REVIEW.

Following welcoming remarks made by President Newman, Allan B. Jacobs, Director of Planning, read the following introductory statement:

"As Mr. Newman mentioned, on August 15th the Planning Commission was presented with the proposal for citizen review entitled Transportation Noise. The purpose of this plan, in accordance with the State Planning Law that requires that we do it, is to develop recommendations relative both to the areas that are adversely affected by transportation noise as well as to the transportation facilities themselves.

"In developing the background material and the proposed objectives and policies dealing with transportation-related noise, the staff drew upon the work done under contract for the Department by the acoustical consulting firm of Bolt, Beranek and Newman. In addition, the staff worked with personnel in the Mechanical Engineering section of the Bureau of Engineering who are familiar with the problem of noise control in San Francisco.

"As mandated by State law, this draft plan is concerned exclusively with transportation-related noise, specifically surface transportation. The plan has implications both for

land use planning and for transportation planning. Let me point out, however, that the policies proposed therein for controlling transportation noise cannot always be the overriding consideration in guiding the development of the city. Obviously, noise is only one of many concerns that affect the urban environment. The objectives and policies in the plan section, therefore, are worded and explained so as to allow for a certain flexibility in their application to real situations.

"The draft plan for Transportation Noise under discussion today is a proposal for citizen review. This means that the objectives, policies, and suggested action program are all subject to revision on the basis of comments that may be received from individuals and organizations. After revision, the objectives and policies will be submitted to you for adoption and the program section for your endorsement.

"The staff has already distributed over 200 copies of the plan to individuals, community groups, government agencies, and news media. I must admit that so far, there has not been much reaction to the proposal. At today's hearing, the staff will be taking notes on any testimony offered. Based on the comments and suggestions received, the staff will recommend revisions to the plan wherever appropriate. The revised version of the Transportation Noise plan will then be presented to you for adoption as the Transportation Noise section of the Environmental Protection element of the Comprehensive Plan."

Rino Bei, Program Manager of the Transit Improvement Program of the Municipal Railway, stated that the staff report was generally of excellent quality. Referring to a previous report concerning streetcar noise--done by the Task Force on Noise Control--he observed that the staff who had worked on the project had merely requested specifications from his office concerning the new Muni Metro streetcars and had not discussed the specifications with him. Page 26 of the present report contained a statement to the effect that the new streetcars were expected to be relatively noisy. However, tests made to arrive at a comparison between the noise made by the existing streetcars and the new streetcars had been conducted on existing tracks which are to be replaced with new ties, ballast spars and re-railing. On that basis, the staff had projected a maximum noise level of 80 decibels at 50 feet even

though the new tracks have not been installed and the first new streetcar has not been completed. He stated that the new streetcars will have wheel truing machines which will prevent the wheel from getting flat spots; and the shops will have new rail grinding equipment. As a result, he expected that the new streetcars would be considerably less noisy than the present streetcars. The staff report had also advocated electrification of Municipal Railway's motor coach lines; and, in that regard, he stated that his office is already in the preliminary stages of studies leading to the electrification of the No. 55 line on Sacramento Street and the No. 24 line on Divisadero and Castro Streets.

Betty Rader, 17 Alta Street, read and submitted the following prepared statement:

"I have read the pink report 'Transportation Noise' prepared by the Planning Department and the report by Bolt, Beranek and Newman. I think they are both extremely important. Your Planning Department's report, in particular, if read carefully, is almost like a short course in acoustics. I should like to thank everyone who helped with these.

"Because I do not have a car of my own, I walk a lot and ride buses when I cannot borrow a car or get a lift. Anyone who waits in bus stops while buses pull in and out is aware of the tremendous amount of noise they make. What few people realize is the danger of this noise. People who live on busy streets, people who work on busy streets, people who drive buses or trucks or cars all day on busy streets and highways, everyone who is around this kind of noise much, is going deaf. The vibrations of the noise destroy hearing. The danger of the tensions which this noise also causes in the body can only be guessed at by me. We are a nation drugged into whatever tranquility we can find by alcohol, legally prescribed tranquilizers, marijuana, and illegal street drugs.

"I audited a course in acoustical engineering at Berkeley last year. During one laboratory period we took the sound level meter out to the street. A sound level meter is like a camera light meter only it is bigger, heavier, more complicated, and it measures the intensity of noise. We marked off a distance 50 feet from the centerline of the street - which is roughly the way State law says to measure the sound of motor vehicles. We could not take the equipment off campus so our observations were confined to that street which

runs along the north side of campus, essentially a residential area. A bus went by at 86 decibels, an old car without a muffler - around 90 decibels, a motorcycle around 85, a lot of Volkswagons - and what was surprising - they were almost as noisy as the bus. No diesel trucks went by; no concrete mixers. There were no helicopters nearby, no jets overhead so that I cannot even guess at the loudness of these.

"Several years ago I read in the paper that somewhere in Europe it was found that crime rose proportionally to automobile ownership. I live at the end of a dead end street about 100 feet above Sansome near the Icehouse. One night quite a few years ago I was in bed reading. It was around midnight. I heard a man's voice scream out, 'help! help me! help!' There were sounds of shots. There was real terror in his voice. It was unmistakable. There was another cry for help which froze my blood, another shot. Then nothing.

"It was late. I was alone. I was not dressed. The neighbor upstairs was not home. I did not want to call the Police because I knew that they would come to my door and I would have to answer it and explain everything to them all over again. But I had heard the desperation in that man's voice. I called the Police. They came to my door and they were skeptical. 'maybe you heard your neighbor's television set,' they suggested. 'We do not put television sets on this side of the hill because the reception is so poor, and cable vision will not come in because our wires are underground,' I said, 'that was a man's voice I heard screaming from down below.' Now the noise level is so high that I would not be able to distinguish a real scream from a play-act one. I used to garden the cliff next to the house; now I am afraid to go out there. If I were to fall, if I screamed for help, no one could hear me. It was not until I saw how loud a Volkswagon registered on a sound level meter that I began to wonder if crime here varies in proportion to automobile ownership or to transportation noise or to the neighborhood noise level.

"We cannot put a policeman under everyone's bed. We must help each other. We must be able to hear a burglar breaking into a neighbor's apartment, to distinguish a real cry for help from a television set. As the noise level rises

and as we all go deaf, it will be increasingly difficult to hear anything.

"There is a machine which can take a sound recorded on tape and analyze this sound according to its frequency. It makes sort of a voice print of a noise. It can pick different noises from a general roar and tell which noise is how loud and comes from where. I urge you to have some noise prints made in the city to find out what other terrible sources of noise we have in San Francisco. It is imperative to find out how much of the total noise is street transportation noise and how much of this is made individually by jackhammers, by garbage trucks, by Volkswagon, by buses, by sportcars, by aircompressors, by motorcycles, by diesel trucks."

Bruce Levy, 1250 California Street, stated that he did not understand the difference between "background noise" and "traffic-produced noise". Sidney Shaw, Planner IV, stated that he would explain the technical difference between the two to Mr. Levy at the conclusion of the hearing.

No one else was present in the audience who wished to speak on this matter.

The Director recommended that the hearing be continued until the Commission's meeting on September 19, 1974.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Miller, and carried unanimously that this matter be continued until the meeting of September 19, 1974.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, September 12, 1974.

The City Planning Commission met pursuant to notice on Thursday, September 12, 1974, at 2:15 p.m., in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; Virgil Elliott, John Farrell, Mortimer Fleishhacker, and John Ritchie, members of the City Planning Commission.

ABSENT: Hector E. Rueda, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Edward I. Murphy, Assistant Director of Planning; Robert Passmore, Planner V (Zoning); Lucian Blazej, City Planning Coordinator; Charles Gill, City Planning Co-ordinator, Janis Birkeland, Planner III - Urban Design; John Mackie, Planner II; Mark Winogron, Planner II; Gary Craft, Planner I; Marcy Lifton, Planner I; and Lynn E. Pio, Secretary.

Bill Cooney represented the San Francisco Chronicle; and Dick Revenaugh represented the San Francisco Examiner.

APPROVAL OF MINUTES

It was moved by Commissioner Fleishhacker, seconded by Commissioner Farrell, and carried unanimously that the minutes of the meeting of August 15, 1974, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, distributed copies of a letter from Mayor Alioto to the Acting Director of the Port stating that he had asked the Director of Planning and Mr. Tolan of his office to assist in evaluating the environmental quality of five bids for the development of Pier 45.

The Director advised the Neighborhood Plans Committee (Commissioners Rueda, Fleishhacker, Ritchie) that the regular meeting of the Committee scheduled for next Thursday will be cancelled.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

President Newman read the following letter which had been received from Dr. Washington E. Garner, President of the Police Commission:

"San Francisco Police Commission, at its regular meeting on Wednesday, September 11, 1974 has approved and adopted the 20-page document entitled 'Police Facilities - Community Facilities Element of the Comprehensive Plan of San Francisco' (see attached Resolution No. 394-74).

"On behalf of the San Francisco Police Department, the Police Commission hereby acknowledges the excellent cooperation and coordination shown by all members of the City Planning Commission during every phase of the Police Facilities study. The assistance, cooperation and enthusiasm shown by members of the Department of City Planning throughout this project is also gratefully appreciated.

"We look forward to continued cooperation between the Department of City Planning and the San Francisco Police Department in implementing the Police Facilities element as adopted and incorporated into the Master Plan for the City and County of San Francisco."

The Director informed the Commission that the Board of Supervisors, meeting next Monday, is scheduled to hear appeals from the Commission's disapproval of proposals to designate the Goodman and City of Paris Buildings as Landmarks.

The Director reported that the Board of Supervisors had approved for second reading the increase in fees for zoning cases which had been recommended by the Commission. However, in so doing, the Board had adopted language which exempts from paying any fees, any fraternal, charitable, benevolent or other non-profit organization having a regular membership associated primarily for civic welfare, with revenue accruing therefrom to be used exclusively for the non-profit purposes of said organization, and which organization is exempt from taxation, under the Internal Revenue laws of the United States as a bona fide fraternal, charitable, benevolent or other non-profit organization.

Commissioner Porter observed that the Board of Supervisors had originally requested the Commission to propose revision of its fee structure to make the fees more commensurate with the work involved; and she remarked that the exemption granted by the Board would, in effect, nullify the original purpose of raising the fees.

Continuing his report, the Director made the following statement:

"Franklin Hospital (Ralph K. Davies Medical Center) has requested that the review of their Master Plan before the City Planning Commission scheduled for next week, September 19th, be reschedule to the middle of November. Thus the Master Plan review has been rescheduled for November 21st. Based on the understanding that we have with Franklin Hospital that at least a month should pass between the Commission review of the Master Plan and the formal hearing of necessary conditional use applications for any elements of the Master Plan, hearings on the environmental impact report and conditional use applications for Franklin Hospital would occur in January 1975 or later."

The Director noted that the Commission had received a letter from the President of the Foundation for San Francisco's Architectural Heritage requesting that the Commission conduct a discretionary review of plans for the new Sak's Fifth Avenue building to be constructed on the northeast corner of Powell and Post Streets. He stated that he would be prepared to recommend that such a discretionary review be held; however, since plans which had been submitted may be subject to change, he was not yet prepared to recommend a date for the hearing.

The Director read the following statement:

"This proposed subdivision ordinance is not a part of the City Planning Code but would be a new regulatory code entitled Subdivision Ordinance, Part II Chapter XIII of the Municipal Code. It would prescribe the powers and duties of the Department of Public Works, the Department of City Planning and the Board of Supervisors.

"Because this is not an amendment to the City Planning Code a public hearing on the ordinance by the City Planning Commission is not required. However, because of the interest and concern on the part of members of this Commission and the community and the planning considerations that are involved with some of the provisions, it seems appropriate that the Commission consider this proposed ordinance at a public meeting at which public testimony would be taken."

Edward I. Murphy, Assistant Director of Planning, presented and summarized the final draft of the proposed Subdivision Ordinance. Copies of the draft ordinance are available in the files of the Department of City Planning.

Commissioner Ritchie noted that Section 1385(d) of the draft ordinance specified that "the tenant or tenants of each unit shall be given the first option to buy his or her unit". He stated that he had found through experience that the word "option" can sometimes be very restrictive; and he suggested that the term "first right of refusal" should be substituted for the phrase "the first option" in the ordinance to make it clearer. He then noted that the draft ordinance would require subdividers to contact the "Central Relocation Service" under certain circumstances; and he asked about the nature of that agency. The Director replied that the Central Relocation Service is operated by the Mayor's Office through the Redevelopment Agency.

Commissioner Ritchie then noted that the ordinance would require that all sales personnel for condominium projects be trained in affirmative action sales policy and fair housing laws; and he asked what was meant by the term "affirmative action sales policy". Mr. Murphy replied that "affirmative action in housing" is defined by the draft ordinance as "informational and promotional activity for the purpose of eliminating discrimination in housing accommodations because of race, color, religion, national origin or ancestry."

Commissioner Porter thought that the reference to the Central Relocation Service was misleading since the activities of that bureau do not affect the private sector. The Director replied that the draft ordinance, if enacted, would require private contractors to provide funding for relocation services under certain circumstances.

Commissioner Porter remarked that it might be very difficult for owners of older buildings to meet the standards of the Housing Code as required by the draft ordinance. The Director replied that the Housing Code is not nearly as stringent as the Building Code; and he indicated that the reason for requiring buildings to meet the applicable standards of the Housing Code before they could be converted into condominiums is to provide the buyer with basic information about the structure which he might not otherwise be able to ascertain. He emphasized that the basic purpose of the draft ordinance was one of consumer protection.

Commissioner Farrell asked if owners of individual units in a condominium project would be required to abide by the affirmative action provision of the draft ordinance if they wished to sell their units in the future. Mr. Murphy replied that only the initial sales would be governed by the draft ordinance. Subsequent sales would be governed only by the by-laws of the corporation of which the units are a part.

Commissioner Porter remarked that other jurisdictions have ordinances requiring that a certain number of tenants of a building be willing to purchase their units before condominium conversions can take place; and she asked if there were any provision of that sort in the draft ordinance. Mr. Murphy replied in the negative, indicating that the City Attorney's office had been of the opinion that such a provision would be of doubtful legality under California law; however, the draft ordinance did have a clause providing that 20% of the tenants of a building could appeal the Director of Public Works' approval of an application for conversion to the Board of Supervisors.

Commissioner Ritchie, referring to a question which had been raised earlier by Commissioner Farrell, suggested that the following language should be added to the ordinance for purposes of clarification:

"Individual resales subsequent to the initial subdivision sale shall not be considered as governed by the provisions or requirements of this ordinance."

The Director stated that he believed that the language of the ordinance, as drafted, was satisfactory; however, he indicated that he would review that issue. He recommended that a public meeting be scheduled on October 3 for the Commission to receive comments from the public concerning the draft ordinance.

Commissioner Ritchie asked if he were correct in his understanding that land subdivisions in San Francisco have been governed by State law, that the City has never had a subdivision ordinance, and that the proposed ordinance would be the first local subdivision ordinance in the City's history. The Director replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that a public meeting be scheduled on October 3 to receive comments from the public on the Subdivision Ordinance.

Michael Carroll, representing Park Merced Residents Organization, indicated that he regarded the draft of the subdivision ordinance as a direct result of an earlier attempt to convert Park Merced into a condominium project. While he was grateful that various City departments had cooperated to produce the draft, he believed that stronger controls are needed to govern condominium conversions than would be provided by the draft ordinance. He felt that Section 1385 of the draft ordinance was written in such a way as to tell developers how to convert buildings into condominium ownership instead of setting forth policies to prevent conversions. He also remarked that the draft ordinance would place responsibility for review and approval of condominium conversion applications in the office of the Director of Public Works whereas such authority rests with the City Planning Commission in most communities; and he did not feel that it was appropriate that the Director of Public Works should be in a position to overrule any action which might be taken by the Commission.

President Newman asked if it were true that the draft ordinance would permit the Director of Public Works to overrule any action which might be taken by the Commission on a condominium conversion application. Mr. Murphy replied in the negative, indicating that Section 1332(a) of the draft ordinance provided that "the Director (of Public Works) shall disapprove the proposed subdivision when City Planning finds that the proposed subdivision is not consistent with the Master Plan."

Mr. Carroll remarked that Section 1385 of the Draft Ordinance seemed to set certain specifics relating to the Master Plan; and he did not feel that they were being handled in the proper legal way.

A resident of Park Merced advised the Commission that there is a scarcity of rental units in the City while many condominium units are available; and he felt that conversion of the large number of rental units in Park Merced to condominium ownership would be disadvantageous to the City as a whole. It was his opinion that no further conversion of rental units to condominium ownership should be permitted in San Francisco.

Mr. Carroll remarked that the City Planning Commission had previously recommended, and, the Board of Supervisors had adopted, a moratorium on condominium subdivision of buildings with 25 or more units. That moratorium will expire on October 22 unless extended one month as provided in the ordinance, and, since the City Planning Commission would not hold its hearing on the draft ordinance until October 3, the Ordinance could not possibly be adopted by the Board of Supervisors and become effective prior

to the expiration of the moratorium. Therefore, he asked the Commission to recommend to the Board of Supervisors that the moratorium be extended for two months beyond November 22, 1974, the present moratorium expiration date if extended.

The Director recommended that the Commission honor Mr. Carroll's request. He stated that it was his understanding that the Director of Public Works would be making a similar recommendation to the Board.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the Board of Supervisors be requested to extend the current moratorium on condominium subdivision of buildings with 25 or more units for two months beyond November 22, 1974.

Mr. Henry Richmond asked the Commission to request that all written comments be submitted to the Department of City Planning five days prior to the October 3 meeting.

The Director stated that it would be helpful for the staff, also, to receive written comments in advance. However, all interested parties would still have an opportunity to express themselves orally during the October 3 meeting.

At 3:05 p.m. President Newman announced a five minute recess. The Commission reconvened at 3:10 p.m. and proceeded with the hearing of the remainder of the agenda.

FINAL CONSIDERATION OF THE COMMUNITY SAFETY ELEMENT
OF THE COMPREHENSIVE PLAN OF SAN FRANCISCO, A PRO-
POSAL FOR CITIZEN REVIEW.
(CONTINUED FROM MEETING OF AUGUST 29, 1974)

Allan B. Jacobs, Director of Planning introduced this matter as follows:

"The Community Safety Plan is being presented to you today for consideration for adoption as part of the Comprehensive Plan. The Plan is in response to two state-mandated general plan elements:

- "1. A Safety Element, Calling for 'the protection of the community from fires and geologic factors', and
- "2. A Seismic Safety Element, 'consisting of an identification and appraisal of seismic hazards'.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
JANUARY 1954
MEMORANDUM FOR THE RECORD
SUBJECT: [Illegible]
[Illegible text follows, consisting of several paragraphs of handwritten notes and typed text, which is mostly illegible due to the quality of the scan.]

"Both elements are required to be adopted by September 21st of this year.

"The Community Safety Plan was first presented to you on July 17, and since that time extensive distribution of the report has been made to individuals, neighborhood and professional organizations, and numerous public agencies.

"Two public hearings have been held, on August 8th and August 29th. Written comments have been received, and the staff has met with groups and individuals to discuss modifications of the proposed objectives and policies. Mr. Robert Passmore who, with Mr. William Duchek supervised this project, will briefly review policy modifications proposed as a result of comments received."

Robert Passmore, Planner V (Zoning), reported as follows:

"Key policy changes are as follows:

"(A) Policy 4 of the Life Safety Section -- page 16 of the memo to the Commission -- has been modified, as a result of discussion with our seismic consultant Dr. Blume, The California Coastal Commission, and the Department of Public Works, to include soil and geologic soils site investigations and compensating structural design both in special geologic study zones and as required by the City Engineer in other areas of the City. The policy has been further expanded to clearly state that the findings of site investigations should become public information, this was only implied in the original language.

"(B) A new Policy 5 has been added to the Life Safety Section -- again on page 16 of the Director's memo to the Commission -- to insure that the public does not become liable for damages to new development in areas where geologic hazards were known or discovered to exist and the developer did not compensate for the hazards in the design of the structure. This new policy is in response to comments of the California Coastal Commission which is proposing a similar policy in the geology element of its coastal plan.

"(C) As indicated on pages 13 and 14 of the memo, risk levels 1 and 3 have been reversed in Life Safety Policy 1 in order to place the most important critical community facilities in the highest category. Also he revised risk level 1 would require only that key buildings be operational after an earthquake rather than the earlier policy which read 'Fully operational immediately after an earthquake'. These revisions were a result of discussions with the Seismic Investigations and Hazard Survey Advisory Committee of the Board of Supervisors. As a result of discussions with the Water Department, water supply pumping facilities have been added to the list of risk level 1 structure, and water mains have been placed in risk level 2.

"(D) Policy 5 of the Emergency Operations Section -- found on page 21 of the Memo -- dealing with fire-fighting capability, has been modified, again after discussions with the Board of Supervisors' Seismic Advisory Committee, to insure that new construction, especially excavation, near existing auxiliary water supply system mains and hydrants does not damage or endanger the system in any way.

"(E) Policy 3 of the reconstruction Section -- found on page 24 of the September 6 memo to the Commission -- dealing with the creation of a Reconstruction Planning Committee, has been modified to add to the committee representatives of the legal profession and the private engineering, architectural, planning and design services. This was a recommendation of the Seismic Investigations and Hazards Survey Advisory Committee.

"These are the substantive modifications to the objectives and policies as they were drafted in the proposal for citizen review. Additionally there are a number of minor editorial changes indicated in the September 6 memo. Also, many of the comments received were concerned with specific action programs to implement the proposed objectives and policies: although not of direct concern here today, those comments have been addressed in the September 6th memo to City Planning Commission entitled 'Comments Received and Proposed Revisions to the Community Safety Plan, a Proposal for Citizen Review'. These comments will be again considered when the Program Section is further developed.

The Program Section found in pages 52 through 64 of the Proposal for Citizen Review is not being offered for adoption today: only the proposed objectives and policies are recommended for adoption at this time. We anticipate having revised programs prepared for endorsement by the City Planning Commission in November."

No one was present in the audience who wished to speak on this matter.

The Director recommended that the draft report, as modified, be adopted as an amendment to the Master Plan of the City and County of San Francisco.

Commissioner Fleishhacker stated that he considered Policy No. 5 under Objective I to be somewhat confusing. The Policy read as follows: "The public should not be liable for new construction in areas of known geologic hazards where no compensating structural design is undertaken." He asked if the term "the public" was intended to refer to public persons or to City and County of San Francisco. Mr. Passmore replied that the intent of the policy was that programs financed by public agencies should not be liable for damage occurring to buildings which have been constructed in areas of known geologic risk with no special design provisions.

President Newman requested the staff to discuss that matter with the City Attorney's Office and to clarify the language of the policy.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that Resolution No. 7241 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby adopt as an amendment to the Master Plan the objectives, policies, and plan map contained in pages 36 through and including 51 of the document entitled 'Community Safety Plan, a Proposal for Citizen Review,' dated July 1974, as amended by the memorandum to the City Planning Commission dated September 6, 1974, entitled 'Comments Received and Proposed Revisions to the Community Safety Plan, a Proposal for Citizen Review', as the Community Safety Element of the Master Plan;

"AND BE IT FURTHER RESOLVED, That the President of the City Planning Commission and the Director of City Planning shall record the Commission action on the documents constituting this Master Plan amendment, and the Secretary of the Commission is hereby directed to certify an attested copy thereof to the Mayor and the Board of Supervisors, and the Director of Planning is hereby directed to publish the amendment in sufficient quantity for distribution to the public."

DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION
NO. 435657 FOR A PUBLIC ASSEMBLY BUILDING AT 2540-42
DIAMOND STREET.

Robert Passmore, Planner V (Zoning), noted that the Commission had heard considerable testimony about the proposed building on August 22, 1974, when the Commission was considering an appeal of the Department of City Planning's negative declaration for the project; and he indicated that members of the Commission had visited the subject property. He stated that the property is zoned R-1; and, under that zoning, the principal permitted use for the property would be single family housing. He then described existing development in the immediate vicinity of the subject property and reviewed the plans for the proposed facility. He stated that a church is a permitted use in an R-1 zoning district. The City Planning Code requires churches to provide one off-street parking space for each ten seats above 100 seats; and, as a result, there would be a technical requirement for three off-street parking spaces for the proposed assembly hall and one additional off-street parking space for the dwelling unit in the building. He stated that the subject property consist of two lots, each of which could be developed with a single family house; however, if the lots were merged as proposed, only one dwelling unit would be allowed since the total lot area would be less than 6,000 square feet. He noted that several of the lots along Arbor Street are undeveloped at the present time; and, as a result, there are a substantial number of curb-side parking spaces in the area, totalling approximately 134 spaces. He indicated that the staff of the Department of City Planning had also surveyed the number of off-street parking spaces in the area and had noted that many of the houses on Arbor Street do not have garages; furthermore, construction of new housing on the vacant lots would remove some of the existing curb-side parking spaces. At the present time, however, many of the curb-side parking spaces are not used. A survey made by residents of the neighborhood had revealed that only 67 of the 134 curb-side parking spaces were occupied at 10:00 a.m. on Sunday and that only 81 of the spaces were occupied at 6:00 p.m. on Tuesday. The Twin Peaks

Congregation of Jehovah's Witnesses had indicated that meetings would take place in the proposed building on Friday nights and on Sunday mornings. Approximately 80 people might be expected to attend the meetings on Friday evenings; and the Sunday meetings have had an average attendance of approximately 94 persons. The Friday and Sunday meetings draw an average of 26 and 32 automobiles, respectively. The Twin Peaks Congregation of Jehovah's Witnesses serves an area bounded by Church Street, Sanchez Street, 20th Street, Monterey Avenue and Kensington Way. The topography of the subject neighborhood is quite hilly; and Arbor Street is quite narrow. There are also sharp intersections in the vicinity which would make traffic access difficult.

President Newman noted that the members of the Commission had received an extensive letter from the Glen Park Association concerning the proposed project; and he indicated that the staff of the Department of City Planning had taken that information into consideration.

Allan B. Jacobs, Director of Planning, offered his recommendation on this matter as follows:

"The Commission has already received extensive testimony from residents of the immediate area surrounding the site and from the Glen Park Association expressing concern over potential adverse effects of the proposed church on the single-family residential character of the subject R-1 zoned neighborhood, particularly in terms of traffic generation and building scale, the Commission has also received testimony from the applicant concerning the reasons that their proposal should be permitted on the subject site.

"The site is somewhat unique in light of being considered for a church. The hilly topography of the neighborhood, the narrow width of Arbor Street, and other streets in the nearby vicinity of the site, and the irregular street pattern in the vicinity, all result in existing traffic circulation problems which would be aggravated by additional construction in the neighborhood.

"The proposed assembly hall would generate considerably more traffic than would two dwelling units which are the basic permitted use of the subject site under the provisions of the City Planning Code, and information provided by the applicants indicate that parking required by the congregation of the proposed

assembly hall would exceed the six off-street parking spaces being proposed, thereby requiring major dependence upon on-street parking, causing inconvenience to residents of the area.

"The proposed building is much greater in horizontal dimensions than other buildings in the vicinity which would cause it to be visually incompatible with the low-density residential scale of the subject neighborhood; and discussions staff has had with the applicant has led us to believe that the needs of the applicant do not appear to make it possible to modify the proposed plans in a way which would meaningfully reduce the traffic effects and scale of the building in a manner that would mitigate the danger to public safety caused by undue interference with existing and prospective traffic movements in the surrounding area, and would protect the character and stability of this residential neighborhood.

"Therefore, I recommend that the proposed non-residential use of the subject property should not be permitted, and that the public necessity, convenience, and general welfare require that Building Permit Application No. 435657 be disapproved."

After giving his recommendation, the Director advised the Commission that the possibility of requiring conditional use authorization for churches in R-1 and R-2 zoning districts will be considered during the course of the City-Wide Residential Zoning Study.

Allan Fleming, Presiding Minister of the Twin Peaks Congregation of the Jehovah's Witnesses, advised the Commission that the Jehovah's Witnesses are international organization with approximately 2 million members in more than 200 countries. It is a non-profit organization which takes no collections and pays no salaries; and its primary purpose is to direct people's attention to the Bible. Like other religious bodies, Jehovah's Witnesses needs places for people to meet. He stated that his congregation had been looking for a suitable location for a new facility for a number of years. In 1969 a permit was issued for construction of an assembly hall on another site; but the Board of Permit Appeals revoked the permit. They had requested a re-hearing before the Board; but the request was denied. As a result of that incident, they had resolved to proceed very carefully before selecting a new site. They had advised their real estate agent that they preferred a corner lot with good access, near a bus line, with a reasonably good view, and with space for off-street parking; and they had indicated that they wished to check out

the property thoroughly with the City before signing a purchase agreement. After the site had been selected, they had sent their architect to both the Department of City Planning and the Department of Public Works to determine if construction of the proposed facility on the property would conform with all of the applicable codes; and Mr. Faltico of the staff of the Department of City Planning had advised them that the subject site was favorable in all respects. The Department of Public Works had suggested that access to the off-street parking spaces should not face on Diamond Street; but no special parking problem was envisioned. Therefore, they had signed an agreement to purchase the property. As late as yesterday he had talked with a representative of the Traffic Engineering Bureau of the Department of Public Works who had advised him that there had been no accidents at the intersection of Diamond and Arbor Streets during the past five years; and that record is better than most.

At this point in the proceedings, Commissioner Porter absented herself from the meeting room for the remainder of the meeting.

Commissioner Ritchie asked if Mr. Fleming's group owns the subject property at the present time. Mr. Fleming replied that the group has owned the property since August, 1972.

Commissioner Fleishhacker called attention to the fact that the documents which had been given to members of the Commission included a letter from Charles T. Flannery, a Planner and Designer who had contacted various city departments to discuss the proposed project on behalf of the Twin Peaks Congregation of Jehovah's Witnesses; and he emphasized that the last paragraph of the letter read as follows: "Though various discussion with the City Planning Department lend to possible issuance of a permit, City of San Francisco official approval must yet be obtained. This letter therefore does not guarantee the issuance of a building permit."

Mr. Fleming stated that it had seemed to him that the City had given them a "green light" to proceed with the project. Commissioner Fleishhacker thought that the most which had been given was an "amber light".

Commissioner Ritchie felt that the plans which had been drawn for the proposed building reflected an admirable attempt to solve the problems posed to by a very difficult site. The property has an odd shape and is too small. No room was left for landscaping along Arbor Street; and the entrance to the proposed building would be by way of very narrow stairs. Since it was obvious that problems were bound to arise if an attempt were made to construct such a large building on such a small site, he wondered why a site of that size had been chosen.

Mr. Fleming felt that almost any proposed development of the subject property would pose problems.

Commissioner Ritchie thought that it was unfortunate that Mr. Fleming's congregation had purchased the property before they were absolutely sure that the proposed building could be constructed on such a small site without any problems; but regardless of who might own the property, he felt that it would be wrong to develop it with a structure so massive and so lacking in amenities such as off-street parking, setbacks, and landscaping.

Commissioner Fleishhacker asked if the point which Mr. Fleming was trying to make was that the congregation would suffer a financial setback if it were not allowed to construct the proposed building on the subject site. Mr. Fleming replied that the congregation would not necessarily suffer a financial setback if the building permit were not approved. However, he felt that the situation could be likened to a traffic officer telling you to cross the street and then giving you a ticket when you reach the other side.

President Newman remarked that even though it may have seemed to Mr. Fleming that the staff of the Department of City Planning had indicated that it would approve plans for the building, the City Planning Commission has the right to undertake a discretionary review of any building permit application and to act as it sees fit.

Mr. Fleming stated that his congregation had realized that the approval of the staff of the Department of City Planning was not absolute; but he felt that the response of the staff should have some bearing on the Commission's decision.

President Newman advised Mr. Fleming that the record would show that Mr. Fleming had felt that the building permit application might be approved.

Mr. Fleming stated that he believed that no substantial parking problem would be created by the proposed facility. The building would have two more off-street parking spaces than the City Planning Code requires; and, according to the statistics which had been presented by the staff of the Department of City Planning, sufficient curb-side parking spaces are available to accommodate the members of the congregation who drive their cars to the meetings. In any case, the congregation holds only two two-hour meetings each week for a total of twenty hours a month; and he could not understand how twenty hours of meetings out of

a total of 720 hours in a month could have a significant impact on the neighborhood. Even with a peak attendance of 144 people, a demand for only 32 parking spaces would be generated. The congregation had not enjoyed that attendance level for a number of years; and the usual number of cars driven to the meetings are 12 on Friday nights and 15 on Sunday mornings. He stated that members of his congregation had surveyed the area on Wednesday evening and had taken measurements and photographs; and they had found that 42 curb-side parking spaces were available in the immediate vicinity of the subject property.

Charles T. Flannery, Planner and Designer for the Twin Peaks Congregation of Jehovah's Witnesses, remarked that there were not many sites available from which a selection could be made; and he commented on the fact that the relative scale of similar buildings in other residential neighborhoods is considerably greater than the scale of the building which he had designed.

At this point in the proceedings, Commissioner Elliott arrived in the meeting room and assumed his seat at the Commission table.

Mr. Fleming emphasized that he was not seeking a variance or asking for permission to double-park in the street as other churches do. He was only asking for what the code reasonably allows and for approval of a project which the city had, in effect, given him the "go-ahead" on. He was aware that an elaborate argument had been presented in opposition to the building permit application, some of which was somewhat emotional; but he felt that the deliberations of the Commission should result in a decision favoring his position. In conclusion, he stated that living in a city always involves some small amount of inconvenience.

Salvatore Gello, Presiding Elder of the Twin Peaks Congregation of Jehovah's Witnesses, stated that his congregation had aspired to obtain a site for their building in 1969; however, a neighborhood improvement group had objected to that proposal, also, in spite of the fact that a majority of people living within a 300 foot radius of the site had signed a petition in support of the project. The Board of Permit Appeals had regarded that petition to be of no consequence. Now his congregation was facing similar opposition in a different location; and he could not help wondering if there was a possibility that the Jehovah's Witnesses were being discriminated against, especially since opposition to the present proposal was again coming from only a very few people. He stated that he lives only 9 blocks from the subject property and travels through the area often; and he had noted that there is ample parking in the area during the hours when the congregation regularly meets. Sharp turns had been mentioned; but he was aware of only one really sharp turn

which is still not so difficult that it cannot be maneuvered by children on coasters. If the application were to be disapproved, he wondered if that action would be taken because of a true belief that the project would create a traffic hazard or because the application had been filed by the Jehovah's Witnesses.

Norman Hutchens, a member of the Twin Peaks Congregation of Jehovah's Witnesses, asked for a show of hands of individuals present in the audience who were members of his congregation. Approximately 45 people responded. He then asked for a show of hands of individuals who would walk to meetings if the assembly hall were constructed on the subject site. Approximately 15 people responded.

Commissioner Fleishhacker moved that the subject application be disapproved. In doing so, he stated that the fact that the application had been filed by Jehovah's Witnesses had absolutely nothing to do with his motion. The real reason was whether the subject site is adequate for a building designed to accommodate an attendance of 130 people; and he agreed with Commissioner Ritchie that the site is not adequate. If only 70 or 80 people regularly attend meetings of the congregation, the building should have been designed for that number of people. He also emphasized that the Commission has no control over the number of meetings which could be held in the building if it were to be built; and, as a result, the building could be used any hour of any day by 130 people. If the building had been designed for a congregation of only 70 people, and if assurances could have been given that no more than two meetings would be held each week and that no more than 20 automobiles would be brought to those meetings, he might have reacted differently to the proposal.

Commissioner Ritchie remarked that none of the testimony which had been submitted to the Commission by residents of the neighborhood contained any statements to the effect that the Jehovah's Witnesses were not welcome in their area; but many questions were raised regarding the design of the proposed building, the parking situation, and the setting of the building. He seconded the motion which had been made by Commissioner Fleishhacker.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7242 and to disapprove Building Permit Application No. 435657.

At 4:10 p.m. President Newman announced a 5-minute recess. The Commission reconvened at 4:15 p.m. and proceeded with hearing of the remainder of the agenda.

Commissioner Fleishhacker was absent from the meeting room for the remainder of the meeting.

CONTINUATION OF DISCRETIONARY REVIEW OF BUILDING PERMIT APPLICATION NO. 430102 FOR A 43-UNIT APARTMENT BUILDING PROPOSED FOR CONSTRUCTION AT 1790 BROADWAY.

(UNDER ADVISEMENT FROM MEETING OF SEPTEMBER 5, 1974)

President Newman read the following letter which had been received from Irwin Manne, representative of the owners of the building located at 1770 Broadway:

"In the course of a hearing held by your Commission Thursday, September 5, 1974, a Draft Impact Report designated as EE74.4 dated July 22, 1974 reference proposed building was approved as being adequate in its discussion of the adverse effect on the environment.

"As spokesman for the family partnership that owns the 36 unit apartment building at 1770 Broadway, I pointed out, however, that the aforesaid report omitted any mention of the effect on the tenants who occupy the apartments on each of six floors that depend entirely on windows of our west wall for light and air.

"We request that the owners of the proposed building be required to set their east exterior wall back the same length and depth from the property line that correspondends to our setback as a pre-condition granting this building permit.

"Unless this setback is granted:

- "1. We will suffer substantial and permanent depreciation in rental values.
- "2. The tenants of the above mentioned group of apartments will be permanently deprived of adequate light and air, and the quality of their environment will be greatly diminished.

"We request that under its powers of discretionary review your Commission require this requested setback to mitigate the adverse environmental effects of the proposed building."

Robert Passmore, Planner V (Zoning), displayed a floor plan of the building located at 1770 Broadway and described the configuration of the units in the building, indicating that one unit on each floor of the building would receive all of its light and air from a 8-foot light well if the proposed building were to be constructed in accordance with the plans which had been submitted.

Allan B. Jacobs, Director of Planning, emphasized that the building which presently occupies the subject property creates an 8-foot wide light well for the lower units in the building at 1770 Broadway already.

President Newman asked if he were correct in understanding that every room with a window in the building at 1770 Broadway would continue to have a window if the proposed building were to be constructed. Mr. Passmore replied in the affirmative.

The Director stated that the staff had taken a closer look at the effect which the proposed building would have on the existing apartment building at 1770 Broadway; and, while it was clear that the proposed building would block out a certain amount of light and air from the existing building, he did not feel that the situation would be severe enough to require changes in the plans for the proposed building. If the Commission should so desire, it could require the developer of the proposed building to provide a setback on the subject property comparable to the setback which exists at 1770 Broadway; and the result of such an action would probably be to eliminate one bedroom from one of the dwelling units on each floor of the proposed building. However, since it appeared to him that the existing building at 1770 Broadway could be altered so that none of its dwelling units would face exclusively on the light court, he saw no reason to place the burden of amelioration on the new building which is completely legal in all respects. Therefore, he recommended that the building application be approved as submitted.

Irwin Manne, representing the owners of the building at 1770 Broadway, advised the Commission that the building which presently exists on the subject lot has a sloping roof; and, as a result, it has little effect on the light and air available to units in the building at 1770 Broadway. Furthermore, the units which presently face the existing building face windows and not a blank wall. Construction of the new building as proposed would have a significant effect on the value of the center dwelling unit on each of the six floors in the existing building at 1770 Broadway. He also believed that outside off-street parking spaces would be provided to the rear of the proposed building; and he felt that such open parking would be unattractive.

Harold Dobbs, Attorney for the applicant, stated that two off-street parking spaces would be outside, but that all of the remaining off-street parking spaces would be under the building.

Mr. Manne suggested that it would probably be difficult for the Fire Department to gain access to the west side of the building at 1770 Broadway if the proposed building were to be constructed in accordance with the plans which had been submitted. However, his gravest concern was that the proposed building would have a detrimental effect on the quality of life enjoyed by tenants of the building at 1770 Broadway, some of whom have lived in the building for 30 years. He remarked that people have tended to allow institutions and property values to outweigh human values; but he felt that the quality of life should be of greater concern. While he recognized that the proposed building could legally be constructed to the property line, in terms of consideration, equity, and fairness he felt that the building should be set back, especially since it is easier to alter plans for a building not yet constructed than it is to alter an existing building. Furthermore, if the middle unit in the building at 1770 Broadway were to be cut in half, the owner of the building would have to raise the rents in order to cover the remodeling costs. Therefore, he requested the Commission to require that the proposed building be set back from the property line.

Mr. Dobbs stated that he felt that the matter of equities had been expressed adequately by the Director of Planning. He remarked that the building which his client proposed to construct would be of fire-proof construction and would have larger units than other apartment buildings in the area; and, in addition, it would have considerably less lot coverage than the existing building at 1770 Broadway. Furthermore, the proposed building would have one off-street parking space for each dwelling unit whereas the building at 1770 Broadway has only 6 standard size off-street parking space and two compact parking spaces. Mr. Manne had requested that the Commission require the proposed building to be setback 8 feet from the easterly property line; but if the Commission were to establish such a requirement, it would actually be requiring his client to make a gift of air rights to the adjacent property owner. He advised the Commission that his client had designed at his own expense a plan for altering the interior of the building at 1770 Broadway; and, in view of the fact that rents in that building are exceptionally low at the present time, he felt that the rents could be raised to cover the cost of the alteration work.

SEPTEMBER 12, 1974

After further discussion it was moved by Commissioner Fleishacker, seconded by Commissioner Farrell, and carried unanimously that Resolution No. 7243 be adopted and that the Building Permit Application for the proposed building be approved.

The meeting was adjourned at 4:35 p.m. in respect to the memory of Michel Weill, former member and President of the City Planning Commission.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, September 19, 1974.

The City Planning Commission met pursuant to notice on Thursday, September 19, 1974, at 2:15 p.m. in the meeting room at 100 Larkin Street.

PRESENT: Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Walter S. Newman, President.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Peter Groat, Planner IV-Urban Systems Analyst; Sidney Shaw, Planner IV; Richard Gamble, Planner IV; Lucian Blazej, City Planning Coordinator; Marie Zeller, Planner III-Administrative; and Lynn E. Pio, Secretary.

Maitland Zane represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, congratulated Commissioner Farrell on his appointment as the new Controller of the City and County of San Francisco.

The Director distributed copies of the Department's annual report for the fiscal year 1973-74.

The Director distributed copies of the recently revised Civic Center Master Plan.

The Director informed the Commission that the Board of Supervisors, meeting on Monday, had postponed consideration of the appeal of the Commission's refusal to designate the Goodman Building as a Landmark until October 7.

The Board began its hearing of the appeal of the Commission's refusal to designate the City of Paris Building as a Landmark but adjourned early and continued the hearing to September 30.

The Director advised the Commission that Commissioner Rueda will be interviewed on television Channel 5 at 10:30 p.m. on Sunday evening.

George A. Williams, Assistant Director- Plans and Programs, distributed copies of a draft of a proposed agreement between the City and County of San Francisco and the National Park Service regarding the City-owned lands to be incorporated into the Golden Gate National Recreation Area. He indicated that the agreement would provide that the General Superintendent of the Golden Gate National Recreation Area would consult with the Department of City Planning on all planning matters relating to construction on the lands transferred by the city; and the Department of City Planning would have responsibility for coordinating inputs from other city departments regarding such projects. The Department of City Planning would then make its report and recommendations to the General Superintendent; and the General Superintendent would be required to make every effort to accommodate the city's recommendations. With regard to properties within the Golden Gate National Recreation Area which were previously owned by the federal government, the agreement will specify that the General Superintendent must give good faith consideration to any objections raised by the City Planning Commission concerning any proposed construction project.

During the course of Mr. William's presentation, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

After discussion, Commissioner Fleishhacker moved that the City Planning Commission go on record as endorsing in principle the proposed agreement between the National Park Service and the City and County of San Francisco regarding the city-owned lands to be incorporated into the Golden Gate National Recreation Area. The motion was seconded by Commissioner Miller. When the question was called, the Commission voted unanimously to endorse the proposed agreement in principle.

The Director continued his report as follows:

"In November, 1973, with the assistance of a 701 grant, the Department entered into a study of means to obtain information on the condition of the City's housing stock. This information, which is extremely important in the analysis of housing problems and the formulation of programs to assist in their correction, formerly came from the Census of Housing. However, in 1970, for various reasons, the Bureau dropped a number of meaningful measures of housing condition from the Census of Housing. We were left with no effective means by which this data might be

obtained, save for very costly field surveys. The last complete survey of San Francisco housing, apart from the Census, was the Real Property Survey of 1939, administered by the WPA at a cost of approximately \$200,000 in 1939 dollars. It would require close to a million dollars to duplicate that effort now.

"However, certain City records kept by the Bureau of Building Inspection, the Department of Public Works, and by the Assessor, promised to provide a solution to this problem. While the feasibility of this project as an ongoing effort still requires careful evaluation, there is good reason to believe that these records have provided information that may be used in lieu of the missing Census data."

Peter Groat, Planner IV, Urban Systems Analyst, summarized progress which has already been made, reported on the present status of the project, and responded to questions raised by members of the Commission.

During the course of Mr. Groat's presentation, Commissioner Rueda arrived in the meeting room and assumed his seat at the Commission table.

The Director then made the following statement:

"Next week (September 26) is the scheduled time for the Implementation Committee meeting, and the Commission field trip, to discuss and view the zoning cases due for public hearing on October 3rd. As it happens, there is only one new case and one case postponed from last month on the calendar for the third. I would observe that no other matters are calendared before the Commission on the 26th and for this reason it would appear that this may be an appropriate meeting to cancel. Mr. Steele has indicated that he would be pleased to take members of the Commission to view the one new case on an individual basis at any time convenient to the Commission members.

"I therefore recommend canceling the Implementation Committee meeting as well as the regular meeting of the full Commission on the 26th. If desired by members of the Commission or Committee, the field trip and Committee meeting could be

held on October 3rd prior to the regular scheduled time or individual members might wish to visit the new case as offered by Mr. Steele."

Subsequently, it was moved by Commissioner Fleishhacker, seconded by Commissioner Rueda, and carried unanimously that both the Committee meeting and the regular Commission meeting scheduled for September 26 be cancelled. The Commission also indicated that it wished to have a field trip scheduled on October 3.

The Director reminded members of the Commission to contact Edward I. Murphy, Assistant Director of Planning, if they have any questions or suggestions regarding the draft of the proposed subdivision ordinance.

R74.32 and R74.32A - OCEAN AVENUE WIDENING AND
LEE AVENUE EXTENSION.

Richard Gamble, Planner IV, reported on this matter as follows:

"The Director of Property has forwarded the following proposal to transfer jurisdiction of properties for Master Plan conformity review.

"As part of the Transit Improvement Project and K streetcar line is to be extended easterly on Ocean Avenue from its present terminus at the City College turn-around to the Muni Metro Center at Ocean, San Jose and Geneva Avenues (adjoining the Balboa Park BART Station). Due to heavy patronage of the K line by San Francisco City College students, and heavy traffic on Ocean Avenue, it is desirable to provide boarding islands and a pedestrian overpass to the Campus.

"The design provides for exclusive lanes for the streetcars and two lanes in each direction for vehicular traffic, plus street parking along the south side. The widening will all be on the north (College) side, and will taper from the existing alignment at Phelan and the freeway off-ramp to approximately 32 feet in the vicinity of the islands. A retaining wall approximately 10 feet high will be required along much of this length due to the hill. Special effort will be made to preserve the grove of mature Cypress trees at the east end of the retaining wall. A row of red flowering

eucalyptus, planted along the sidewalk ten years ago will be removed. The bare appearance of the wall can be compensated for with cascading landscape material. Plans call for landscaping of the new center island at the Geneva intersection and the gore corner of Geneva and Ocean. It is also recommended that landscaped islands be placed easterly of the boarding islands where striping is indicated, and that the northerly of these areas be expanded and lengthened so that it is approximately parallel to the north curb. Consideration should also be given to having turf or low groundcover instead of pavement where the tracks have exclusive use of the right-of-way. Such treatment would be more aesthetically pleasing, would significantly reduce streetcar noise and would prevent vehicular intrusion.

"Related to this project is a proposal by the Bureau of Engineering to extend Lee Avenue northeasterly into Phelan Avenue. This would be a one-way road entering the campus, eliminating the need for a left-hand turn at Phelan and Ocean. The latter currently has 3-phase signal, and does not provide a long enough eastbound phase to handle the campus-bound traffic. As a result, much traffic approaches the campus through the residential neighborhoods to the north and those streets are also clogged with students' parked cars.

"Removal of the left turn from the Phelan intersection will permit the turn to occur at Lee while Ocean Avenue traffic is paused at the signal. As conceived by DPW, the left-turn storage would be on the Muni tracks. Also, the proposed extension would result in still another left turn into Phelan, perhaps creating new problems there.

"The most objectionable aspect of the Lee Avenue extension is that it utilizes space currently occupied by the streetcar turn-around. The extension presupposes phasing out of the turn-around, an assumption that could prove false. For example, Muni is considering extending the Church line south along San Jose, in which case the college turn-around might be the most desirable terminus.

"There are several alternate possibilities which should be explored before this solution is approved. A similar type of design, extending Harold Avenue along the westerly edge of the fire station, might be possible without disturbing the turn-around. Another approach would be to utilize the excess road width opposite Phelan for a swing-out-and-across Ocean Avenue movement into Phelan. A third possibility is a mini cloverleaf-type loop on the Geneva-Ocean

gore corner similar to the loop which was added between Portola Drive and Clipper Street (at Diamond Heights) to allow left turns into Burnett Avenue.

"Because of the reasons outlined above, it seems that the Lee Avenue extension may not be the best solution and could be more destructive than beneficial.

"The proposal to widen Ocean Avenue and provide boarding platforms and a pedestrian overpass to the College, and giving the streetcars exclusive lanes is decidedly in conformity with the policies of the mass transit and thoroughfares plans of the Comprehensive Plan for Transportation."

The Director stated that the Department of Public Works had requested that action on the Lee Avenue extension matter be postponed. However, he was prepared to recommend that the proposed widening of Ocean Avenue be approved as in conformity with the Master Plan provided that the areas east of the boarding islands be landscaped rather than striped pavement, and that the lane alignment of the northerly half of the street be revised to permit the northerly landscaped area to be similar in size to the southerly one, and that the track area between those islands and the platforms be landscaped with turf or creeping ground cover unless such planting is found to be infeasible.

Vice President Porter asked if the conditions which had been recommended by the Director were acceptable to the Department of Public Works. The Director replied that he felt that there was no argument concerning the conditions.

Commissioner Rueda asked if the large eucalyptus trees which are to be removed could be replaced. Mr. Gamble replied that the trees are too large to be transplanted; and the retaining wall which will be constructed will not permit planting anything more substantial than a cascading ground cover which will help to soften the bare appearance of the concrete wall.

Commissioner Farrell asked if the Municipal Railway had been involved in plans for the project. The Director replied in the affirmative and indicated that the Municipal Railway was very much in favor of the project.

After further discussion it was moved by Commissioner Fleishacker, seconded by Commissioner Rueda, and carried unanimously that the Director be authorized to report that the transfer of jurisdiction of the strip of land from City College to widen Ocean Avenue as shown on the lower portion of

the first of these is the fact that the majority of the population of the island is of African descent, and that the majority of the population of the island is of African descent.

The second of these is the fact that the majority of the population of the island is of African descent, and that the majority of the population of the island is of African descent.

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The seventh of these is the fact that the majority of the population of the island is of African descent, and that the majority of the population of the island is of African descent.

The eighth of these is the fact that the majority of the population of the island is of African descent, and that the majority of the population of the island is of African descent.

Bureau of Engineering drawing STR-5152 is in conformity with the Master Plan provided that the areas east of the boarding islands be landscaped rather than striped pavement, and that the lane alignment of the northerly half of the street be revised to permit the northerly landscaped area to be similar in size to the southerly one, and that the track area between these islands and the platforms be landscaped with turf or creeping ground cover unless such plantings are found to be infeasible by the Director of Planning. The Commission also voted to postpone action on the Lee Avenue extension project.

R73.57B - MUNICIPAL RAILWAY TRANSFORMER SUBSTATIONS,
CLAYTON, CARL, RANDOLPH AND BYXBEE STREETS.

Richard Gamble, Planner IV, reported on these matters as follows:

"The Director of Property forwarded proposals for locating six transformer substations for Master Plan conformity review in October 1973. Four of these have been reviewed and approved by the Commission. Review of the two remaining sites has been delayed until this time in order to allow architectural designs to be developed in consultation with community groups on the Haight-Ashbury site and to negotiate for the purchase of the Randolph-Byxbee site.

"The Clayton-Carl site is the open space area at the west end of the Duboce Tunnel. The proposal is to build the facility below ground at the Clayton Street end of the open space. The design is intended to make the area more usable as well as more attractive, by providing flat areas, seats, tables and landscaping where now there is an unkempt grass slope.

"Other sites were considered before this one was selected. The northwest corner of this open space was studied, but it was ruled out because it is a flat area and is the most intensively used play area in this open space. A vacant lot at the corner of Cole and Frederick was also studied, but that alternate would cost approximately \$100,000 more due to land acquisition and feeder line construction costs, and would not have contributed as positively to the neighborhoods aesthetic or recreational needs.

"The tunnel portal site is designated as OS (open space district) in the height and bulk regulations of the Planning Code. Section 290 of the Code provides that 'the height and bulk of buildings and structures (in OS districts) shall be determined in accordance with the objectives, principles and policies of the Master Plan, and no building or structure or addition shall be permitted unless in conformity with the Master Plan.'

"The Plan for Recreation and Open Space speaks to the problem of locating supporting facilities in open space in the jurisdiction of agencies other than the Recreation and Park Department and sets forth the following criteria: (1) demonstration of the necessity of the facility to provide the public service of the agency, (2) proof that alternate sites have been given serious consideration and (3) an assessment of the effects of the facility on the site and surrounding neighborhood.

"The provision of these transformer substations is an essential part of Muni's power improvement program, one aspect of the modernization of the City's transit system which is assigned 'first priority' in the Plan for Transportation. Alternate sites were seriously considered and the proposed site selected because of its potential benefits to the surrounding neighborhood. Thus, the criteria mentioned earlier have been met.

"The neighborhood has been involved in the design of this facility. Preliminary drawings have been shown to three community groups on five different occasions. Department of City Planning staff explained Muni's proposal to the Haight Ashbury Neighborhood Council (HANC) and the Haight Ashbury Improvement Association. PUC personnel subsequently met with these groups and also with the Mayor's Committee to Restore the Haight-Ashbury. Concerns expressed by the people were (a) that as much greenery as possible result (b) play facilities be included (c) transformer noise be adequately suppressed (d) that rumored extension of the Duboce tunnel to 9th Avenue not be related to this facility and (e) the level of maintenance of the grounds surrounding the Portal be improved.

"The level of maintenance given to this open space is a matter of concern because it is an urban park rather than a naturalistic open space. Historically funds for the area's maintenance have come from the Municipal Railway's budget, and have suffered cutbacks due to Muni's austere financial situation. As a result, the grounds are given very inadequate care. Inasmuch as Hetch Hetchy is the agency which operates the Muni power and distribution system and is installing these facilities, the upkeep of these grounds could be switched to the Hetch Hetchy budget and would be less subject to austerity cuts. It is recommended that PUC be requested to effect this policy.

"Randolph and Byxbee Streets: The initial proposed site for this facility was in the open space along Brotherhood Way at the end of Charles Street. The only real advantage the site had was City ownership. Department staff suggested that Hetch Hetchy consider acquiring property along Randolph Street in the R-3 or C zones, adjacent to the streetcar line. A PG&E substation at Randolph and Byxbee appeared to have substantial excess space and might be suited to joint development. Hetch Hetchy considered this alternate, PG&E indicated a willingness to cooperate and therefore the site proposal has been changed from the Open Space to this R-3 site.

"PG&E will continue to use the front half of the property, and Muni will use the rear. A decorative fence will be placed along the Byxbee Avenue property line from PG&E's brick wall north. The substation building will be in the central portion of the site, and the rear yard area will have vehicular access and landscaping abutting the adjoining residence. This arrangement creates an orderly transition from the commercial environment of Randolph and 19th Avenue to the residential environment on Byxbee Street. The rigid noise suppression standards for the substation (imposed by the Department of Transportation) assure that it will not threaten that environment.

"The zoning (R-3) permits public buildings of non-industrial character provided they are found to be in conformity with the Master Plan. The substation would be sufficiently soundproof and would have appropriate architectural and landscape treatment, and thus qualifies as having 'non-industrial character.' As with the other transformer sites the Commission has approved, this facility is being located according to the functional needs of the transit system and will be in accord with the Mass Transit Plan objective to 'give first priority to improving transit service throughout the City.'"

Allan B. Jacobs, Director of Planning, recommended that the Randolph-Byxbee site be approved as in conformity with the Master Plan provided that architectural and landscape design be subject to review and approval by the Department of City Planning to assure its non-industrial character. He also recommended that the Clayton-Carl project be approved as in conformity with the Master Plan with the further recommendation that the entire grounds surrounding the West Portal be maintained as an urban park and that funds for its maintenance be included in the Hetch-Hetchy budget instead of the Municipal Railway budget in the future.

Commissioner Porter asked Commissioner Farrell if he felt that the Public Utilities Commission would be willing to place funds for maintenance of the park at the Clayton-Carl site in the Hetch-Hetchy budget instead of the Municipal Railway budget. Commissioner Farrell replied that federal funds will be available for use in developing the park; and he indicated that he had no objection to the Director's recommendation.

Commissioner Fleishhacker asked if the power lines running from the substation would be undergrounded. A representative of the Public Utilities Commission replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker and carried unanimously that the Director be authorized to report that acquisition of the Randolph-Byxbee site for a Muni transformer substation is in conformity with the Master Plan provided that architectural and landscape design be subject to review and approval by the Director of Planning to assure its non-industrial character. The Commission also authorized the Director to report that the construction of an underground substation in the open space district at the West Portal of the Duboce tunnel, as depicted in architectural plans prepared by Bechtel, Inc., dated 21 June, 1974, and 8 July, 1974, is in conformity with the Master Plan. The Commission

further recommended that the entire grounds surrounding the West Portal be maintained as an urban park and that funds for its maintenance henceforth be included in the Hetch-Hetchy budget instead of the Municipal Railway budget.

SECOND PUBLIC HEARING ON AND FINAL CONSIDERATION OF
THE TRANSPORTATION NOISE ELEMENT OF THE COMPREHENSIVE
PLAN -- A PROPOSAL FOR CITIZEN REVIEW.
(UNDER ADVISEMENT FROM MEETING OF SEPTEMBER 5, 1974)

Allan B. Jacobs, Director of Planning, made the following introductory comments:

"Up to today, there has not been much comment on the proposals contained in the report on Transportation Noise. Various Commissioners have made some comments, and I would like to go over them, if I may.

"Mr. Mellon and Mr. Newman both wondered whether or not Policy 3 under Objective I urging City purchase of the quietest vehicles available would place a burden on City Purchaser. The staff checked this out with the Purchaser, and we were assured that this policy was quite acceptable to him.

"Mr. Mellon commented on the Policy 4, Objective I, relating to the warbling type of siren used on City and private ambulances. Since then, we have found out that a siren operated in this manner does not meet the State criteria for emergency vehicle sirens. In other words, it is quite proper to object to this type of noise.

"Mr. Mellon also expressed some concern over Policy 6 under Objective I relating to street changes that result in greater traffic noise in certain areas. This policy is actually a reiteration of a policy in the Transportation Plan that is concerned with the impact of traffic volumes on adjacent land uses. It is no secret that wherever a street has been widened or converted to one-way, total traffic volume has increased. What this policy says is that such changes may not be desirable in residential areas.

"Mr. Fleishhacker observed that perhaps too much emphasis was being placed on the subject of noise. I should note that these policies should not be taken as overriding requirements that exclude all other considerations. Nowhere, for instance, is residential, commercial, or industrial development prohibited because of high noise levels.

"Mr. Rino Bei, Program Manager of MUNI's Transit Improvement Program, noted the policies relating to noise from MUNI vehicles. He then proceeded to describe specific steps that MUNI hopes to take to achieve the noise reduction urged by Policies 3 and 5 under Objective I. This was good news.

"The booklet that you have before you contains only that portion of the full report which we feel is appropriate for adoption as a Master Plan amendment. You will find in it a short INTRODUCTION, followed by the OBJECTIVES AND POLICIES with some minor changes. Following that are the maps portraying the 1974 noise levels, and finally the table of land uses that are compatible with various noise levels."

Richard Evans, speaking for Robert Levy, City Engineer, stated that the Bureau of Traffic Engineering of the Department of Public Works was pleased to have been involved in the transportation noise project. However, he stated that they were still concerned with two policy issues. His first point of concern was Objective I; Policy 2 which recommended that traffic restrictions be imposed to reduce transportation noise. The explanation of that policy read as follows: "Transportation noise levels vary according to predominance of vehicle type, traffic volume, and traffic speed. Curtailing any one of these variables ordinarily produces a drop in the noise level. In addition to setting the speed limit, the city has the authority to restrict traffic on city streets, and it has done so in a number of streets. In addition, certain movement restraints can be applied to slow down traffic or divert it to other streets. These measures should be employed where appropriate to reduce noise." He informed the Commission that doubling the traffic on a street increases the noise volume by only 3 decibels and that tripling the traffic volume increases the noise level by only 5 decibels. Furthermore, while automobiles moving at a rate of less than 25 miles an hour or at a rate of more than 35 miles an hour tend to be noisy, automobiles travelling at a rate of between 20 and 35 miles an hour, which is the

average speed in the city, tend to be fairly quiet. Therefore, if traffic is slowed down too much, noise will increase. He stated that the quiet streets are those on which traffic flows smoothly because of a one-way street pattern or because of synchronized signals. He felt that the traffic restrictions proposed in the draft report might lead to increasing noise. He indicated that he was also concerned about Objective I, Policy 6, which specified that changes in streets which will result in greater traffic noise in noise-sensitive areas should be discouraged. Relative to that policy, he remarked that traffic which is removed from one street will inevitably be added to the volume of traffic on other streets. No one else was present in the audience who wished to be heard on this matter.

The Director stated that the staff of the Department of City Planning was aware of the variables which had been mentioned by Mr. Evans; and he felt that the key to the explanation of Objective I, Policy 2, was that the measures which were being proposed should be employed "where appropriate" to reduce noise. With regard to Objective I, Policy 6, he noted that the explanation of that policy contained words such as "can" and "if"; and, as a result, he felt that it should not be interpreted as a flat prohibition against widening streets or converting streets for one-way traffic. He recommended that the document which had been prepared by the staff be adopted as a section of the Environmental Protection Element of the Comprehensive Plan of San Francisco.

Commissioner Fleishhacker remarked that the introduction to the Transportation Noise Element contained the following paragraph: "We are learning that not only does noise annoy, it can endanger our physical and even mental health. Because of its potential health hazards, people are becoming convinced that we are as much entitled to a quiet environment as to unpolluted air and water and purer food." While he acknowledged that some people may feel that way, he stated that he did not; and he believed that the statement, as worded, was too strong.

The Director indicated that he would recommend that the statement be reworded to specify that "some" people share the viewpoint stated.

Vice President Porter asked if the remarks which had been made by the Director and by the Commission had satisfied Mr. Evans' concern. Mr. Evans replied in the affirmative.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the wording of the introduction of the element be modified as recommended by the Director of Planning and that Resolution No. 7244 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, That the City Planning Commission does hereby adopt as an amendment to the Master Plan for the City and County of San Francisco that certain document and precise plan entitled, Transportation Noise and dated September, 1974, consisting of seven pages of text, two maps showing noise levels, and one chart showing compatibility of land uses with noise levels;

"AND BE IT FURTHER RESOLVED, That the President of the City Planning Commission and the Director of Planning shall record the Commission action on the amendment, and the Secretary of the Commission is hereby directed to certify an attested copy thereof to the Mayor and Board of Supervisors, and the Director of Planning is hereby directed to publish the amendment for distribution to the public."

The meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

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—SAN FRANCISCO
—CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 3, 1974.

The City Planning Commission met pursuant to notice on Thursday, October 3, 1974, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); Robert Passmore, Planner V; Richard Gamble, Planner IV; Wayne Rieke, Planner IV; Edward Michael, Planner III; Alan Billingsley, Planner II; John Mackie, Planner II; Nathaniel Taylor, Planner II; Marcy Lifton, Planner I; Barbara Barck, Assistant Acting Secretary; and Marie Zeller, Acting Secretary.

Kevin Wallace represented the San Francisco Chronicle; Don Canter represented the San Francisco Examiner.

1:00 P.M. Field Trip

Members of the Commission and staff departed from 100 Larkin at 1:00 p.m. to take a field trip to properties scheduled for consideration at this meeting.

1:30 P.M. - 100 Larkin Street

President Newman called the meeting to order and read the following letter of resignation from the Director of Planning, Allan B. Jacobs:

"Dear Walter:

"As per our discussions, this is to resign formally my position as Director of the Department of City Planning, this resignation to be effective as of December 31, 1974.

"At some future date, before leaving, I will review with you and the Commission what I feel have been our achievements over the past seven and one half years and the challenges that I believe lie ahead.

"Truly for me these have been remarkable, satisfying years. I wish you well.

Sincerely,

Allan B. Jacobs
Director of Planning"

President Newman then announced that the Commission would go into executive session in the Director's office to discuss this matter, since it was a personnel matter.

When the Commission reconvened President Newman announced that the Commission had appointed Edward I. Murphy, Assistant Director of Planning, as Acting Director of Planning effective October 26, 1974. He further announced that the Planning Commission would review applications for the position of City Planning Director from qualified individuals from all areas, both local and national.

President Newman indicated that the Commission accepted Mr. Jacobs' resignation with sorrow and regret and wished him well in his future endeavors.

2:00 P.M. - 100 Larkin Street

APPROVAL OF MINUTES

It was moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and carried unanimously that the minutes of August 8, 29, and September 12, 1974, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, announced that the consideration of Institutional Master Plan policies would be considered October 10, 1974, as a calendared item.

The Director informed the Commission that the Department had received a building permit application for an apartment building on the southeast corner of California and Powell Streets proposing an apartment building having a height of 260 feet, and containing up to 120 dwelling units. The subject site of 34,705 square feet is presently in the 160-foot height limit district that covers the eastern slope of Nob Hill; thus the proposal would require reclassification of the subject site to a 260-foot height limit district. Mr. Jacobs indicated that the department had advised the applicant that the staff saw no merit in such a reclassification, but that the applicant had announced his intention to file for such a reclassification.

The Director announced that a public hearing on the departmental work program and budget would be held at the next regular Commission meeting, October 10, 1974.

Commissioner Ritchie requested that he be excused for the 3:00 p.m. calendar to be held at 232 City Hall.

R74.41 - STANYAN STREET OPPOSITE HAIGHT STREET - SIDEWALK WIDENING.

The Director introduced Richard Gamble, Planner IV, who presented the referral as follows:

"The Director of Public Works has forwarded a proposal to widen the sidewalk on the west side of Stanyan Street at Haight for Master Plan conformity review. This proposal is a direct outgrowth of the Department's planning activities in the Haight-Ashbury District.

"As part of the beautification of Haight Street, the sidewalk widening at the entrance to Golden Gate Park would create a more spacious and visible terminus to Haight Street. The widening is seven feet and consists of the parking lane, hence it will not alter traffic capacity of the intersection. By narrowing the width of the pedestrian crossing and by making curbside pedestrians more visible to approaching traffic the sidewalk extension is promoting pedestrian safety. Objective 3 of the Thorofares Plan, to provide safe and pleasant space for pedestrians, is thereby promoted."

Allan B. Jacobs, Director of Planning, recommended that the widening of the Stanyan Street sidewalk be reported as in conformity with the Master Plan.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and unanimously carried that the Director be authorized to report that the widening of the Stanyan Street sidewalk opposite Haight Street as shown on Bureau of Engineering map Q-20-300 is in conformity with the Master Plan.

2:30 P.M. Calendar

LM74.10 and LM74.11 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE TANFORAN COTTAGES, 214 and 220 DOLORES STREET, AS A LANDMARK.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator) reported on this matter by summarizing the following report on the Tanforan cottages:

"The cottages are located at 214 and 220 Dolores Street, the southwest corner of 15th and Dolores. 214 is located 71 feet south of the corner line, having 34 feet of frontage along Dolores Street, and side depths of 190 and 186 feet; 220 has 38.7 feet of frontage along Dolores Street, bounded on the south by Alert Alley and extending 182 feet along said alley; being respectively, Lots 3 and 3A in Assessor's Block 3557.

"Considered to be the oldest extant residential structures in the Mission District, these two cottages date back to the 1850's and are most commonly associated with the daughters of the Tanforan ranching family. On an 1853 Cutts Map of San Francisco, a single structure appears on the site of #214 and both appear on a map of 1859. The cottages were made from native redwood materials and the differences in architectural styling and construction further substantiate the fact that #214 is the older cottage.

"These cottages are located on the spot that was once the southeast corner of Francisco Guerrero's Mexican Land Grant of November 30, 1836. On January 7, 1850 Julius K. Rose, an attorney, purchased 100 of Guerrero's 400 varas for \$1000 including the area bounded by Fifteenth Street, Alert Alley, Dolores, and Landers.

"The city limits were redefined for the second time in 1851, with the east side of Dolores Street being the boundary. The west side of Dolores Street, however, was just outside the measured area and squatters moved in.

"In the 1850's, The Mission District was becoming a suburban residential area of the City. Center Street (now Sixteenth Street) was unpaved and started at Mission Creek and ended at the Mission buildings. Mission Road, the original plank road, was completed in 1851, stretching two and a quarter miles from downtown along present-day Mission Street and ending at Center Street (16th Street). The extension of Transportation led to the general boom in growth in the Mission District.

"These two cottages were part of this urbanization, probably being erected after the installation of the plank road. At the time, the Mission was considered the resort haven for downtown San Francisco. These cottages were established during the heyday of the Mansion House, which drew many leisure seeking San Franciscans to the Mission area.

"The earliest known owner of both houses was Paul de Auls in 1859, whose ownership was later confirmed by the U.S. Government in a court case on April 16, 1861 concerning the land grant. At the time, there was a well on this property and a stream that flowed down from Buena Vista in the vicinity of present day Fifteenth Street. In 1866, Revilio Wells applied for service from the Spring Valley Water Company for the two cottages. On the application for water service one of the cottages was listed as two stories, probably being #220, which was originally the larger of the two. Having moved from Second Street, Mr. Wells, a bookkeeper, was listed in the 1867 directory as residing at the southwest corner of Fifteenth and Dolores, presumably #214. The property was surveyed for F & A Koenig by W.P. Humphreys, (the city and county surveyor) on January 20, 1871. The Koenig Brothers were importers of French Boots and shoes and operated a well-known store on Montgomery Street; by 1875 they had left the house.

"While the Koenig Brothers were living at 214 Dolores Street, Thomas Russell Morgan, a realtor, is listed in 1874 on the west side of Dolores near Fifteenth Street, being the present #220. In 1876, Thomas Morgan was a partner in the stock brokerage firm Otis and Company and the secretary for the S.F. Gas Light Company, while his brother, Charles A., a bookkeeper and teller for Masonic Savings and Loan, moved in next door after the Koenigs left. The house numbers were changed to 206 and 210 by 1878 and later to 214 and 220 respectively. Eliza Morgan, mother of Thomas and Charles, was living at #206 in 1879. Charles Morgan remained at #206 until 1883, when he moved to Post Street. In 1883, their father, Samuel Morgan, is listed at #206. Thomas Morgan died in 1879, after which his wife Micaela owned the property. She is listed as the owner in the 1894 and 1906 block books, and continued to reside at #210 through 1904. In 1905 she is listed at #220 (indicating that the house numbers were changed) and doesn't appear after 1906.

"In 1896 James Boland and Micaela Morgan are both listed at #210 (and later #220). Boland was a florist by trade, a partner with John H. Sievers. Boland was interested in landscaping and planted exotic species in the yard. The gardens presently include two redwood trees, Norfolk Island pines, large fuschias, dataura from the Orient, a palm tree with an elkhorn fern, and several bay trees, which are presumed to have been planted by him.

"James Boland married Mary Tanforan, for whose family these cottages are named.

"Mary Tanforan was one of thirteen children of the Toribio Tanforan family. Of Spanish descent, the Tanforan's had come to California via Chile in the 1840's, and were related to the Pachecos, Guerreros and Valencias. They settled in the Mission area in the vicinity of Sixteenth Street, in an adobe house, and later moved to Landers Street, behind the Mission. The marriage of Toribio Tanforan to Maria Valencia represented a merger of two landowning families. The Valencias, for whom present day Valencia Street is named, trace their ancestry to Jose Manuel Valencia who came to California as a soldier in the expedition of DeAnza. His son, Candelario Valencia, father of Maria, obtained a grant of land from the Mexican government in 1834 on which he established Rancho Acalanes in what is now Lafayette in Contra Costa County. The Tanforans also held considerable property in San Mateo County, where the Tanforan Race Track was subsequently built. They also owned property in Marin County. Toribio Tanforan and his wife died in 1882, and are buried in the Mission Dolores Cemetery.

"Ownership of the two cottages passed successively between the sisters of the Tanforan family - from Mary Tanforan Boland to Sophie Tanforan to Nellie Tanforan Rodgers and lastly to Julia Tanforan Bodkin. In the late 1930's, #214 was rented, while Sophie and Nellie Tanforan lived at #220. In the 1940's, #214 was first rented to the present owners, Dr. and Mrs. Hugh Baker. Dr. Baker is a well-known historian and former professor of English and the humanities at San Francisco State University. Both cottages were sold separately in 1952.

"Because the ownership of the cottages had not been officially recorded since the destruction of records in the 1906 earthquake, it was necessary to establish title in 1952 before a sale could occur. Under the provisions of the Mc Enerney Act passed after the earthquake, a claim to the cottages was published and when not contested, Julia Bodkin was recognized as the lawful owner. #214 was then transferred to the present owner and #220 was sold and soon occupied by the present owner.

"The houses are small, simple frame structures with false fronts and shallow porches. Each a single story with a slightly pitched roofs, they are primarily boxlike in plan with cellars. They are made of redwood, probably brought up by team from Redwood City, the closest and most accessible area for lumbering.

"#214 is made of first-cut redwood with square nails, of clapboard-type construction, which predates the tongue and groove construction used for #220. The addition in the rear of #214 of a sun porch and back stairway, was of tongue and groove construction and was probably made by the Bolands. Two additions were made to #220 when Sophie and Nellie Tanforan lived there. The original carriage house still remaining in the rear of #220 was used to house the family surrey.

"Similar to New England houses, they were probably designed by a newly arrived architect or copied from a book. The simplified Greek Revival details of this style, such as the wooden balustrades adorning the porches, louvered shutters and white painted facades were also found on the prefabricated houses from New England.

"Four rectangular columns support the portico on each cottage. These minimal elements mark the structures as western simplifications of a more elaborate Greek Revival style of architecture popular in the eastern states in the 1850's. The doorway of each cottage is aligned off center with respect to the total width of the house. The asymmetrically spaced windows (two to the left and one to the right of the door) are framed by unadorned moldings. These moldings repeat the simplicity of the cornice of the portico and of the roof. Above the doors in each cottage are simple glass transoms; that of 214 bears a single pane, that of 220 is subdivided into 4 smaller panes. Identical geometrically patterned balustrades frame the front porch on each cottage. The blastrades continue as railing for the wooden staircases, terminating in newels of simple design on either side of the stairs.

"Although the pair of cottages is very similar in treatment, there are discernible differences. #214 is marked by a more diminutive appearance and a slightly finer attention to detail. The roofline on #214 is lower, the decorative wooden brackets supporting the cornice are carved into more delicate design. The shorter pillars and the simpler transom indicate that #214 was built earlier than #220. The newels at the foot of the stairs at #214 bear globes, while those at #220 are unadorned, as they have been removed. #214 still has a plank walkway to the garden, although it was replaced in the 1950's. Formerly, there was a Victorian fence with pilasters and globes in front of #214, but this burned in the fire of 1906 and was replaced by a white picket fence. There is a greenhouse in the rear yard between the two houses.

"The lots and surrounding parcels are zoned R-4. A church with its offices and social hall occupy the parcel immediately to the north of Lot 3, but the predominant land use is for residential units of three and four stories."

President Newman asked whether anyone was in the audience who wished to be heard on the subject.

Dr. Hugh Baker, owner of the cottage at 214 Dolores Street, showed a picture of the house painted by John Miggs, a noted American painter. Dr. Baker said that he knew the Tanforan family for several years and was very interested in the history.

President Newman asked if anyone was present in the audience who wished to speak against the designation.

Mrs. Anne Dvornikoff, owner of the cottage at 220 Dolores Street, indicated that she did not see that both houses needed to be designated; they were badly in need of repair, and she felt that she could not keep the cottage up forever. She did not want to be tied down with it, especially because of her family responsibilities.

Commissioner Ritchie wondered whether the speaker realized that landmark status was only valid for six months. President Newman added that demolition could be delayed six months by the authority of the City Planning Commission, and an additional six months by the Board of Supervisors.

Commissioner Rueda indicated that even an additional six month delay may be a factor for a prospective buyer.

Dr. Albert Shumate, representing the Landmarks Preservation Advisory Board, said he felt that the landmark designation was correct for the two cottages. He pointed out that there were not many landmark buildings in the Mission and that at the time the Landmarks Preservation Advisory Board acted, they had not been aware of any opposition.

Mr. Jacobs said that the staff recommendation was approval for both cottages and that this was one case where it could be argued that the value of the cottages might very well be enhanced by the landmark designation rather than the other way around, although that alone was not the reason for designation.

Commissioner Mellon asked if action could be delayed for a week inasmuch as he would like to think more about the situation in view of the owner's stated problem.

President Newman suggested taking the two items separately since there was no apparent objection to landmark designation in the case of 214 Dolores Street.

It was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously to adopt Resolution No. 7245 designating the Tanforan Cottage at 214 Dolores Street as a landmark.

It was then moved by Commissioner Mellon, seconded by Commissioner Fleishhacker, and unanimously carried that consideration of the Tanforan Cottage at 220 Dolores Street be continued for one week and considered at the next regular meeting of the City Planning Commission on October 10, 1974.

LM74.4 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE ATHERTON HOUSE,
1990 CALIFORNIA STREET, AS A LANDMARK.

Paul Burke, attorney for the estate of Carrie Rousseau, stated that Mrs. Rousseau passed away on September 6, 1974. Mr. Burke introduced Clarence H. Deske, executor of the estate, who had not looked into the property; therefore, Mr. Burke requested a continuance of 90 days for consideration with this matter. He also suggested that the City Planning Commission should take a tour of the property to see both its exterior and interior.

President Newman asked whether there was any reason why this request should not be granted. R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator) indicated that a decision to delay would be entirely up to the Commission. The Director recommended, however, a 30 day period.

Commissioner Rueda moved for continuance of 30 days. Commissioner Ritchie pointed out that the landmark designation did not include attention to interior. Mr. Burke answered that the condition of the building was such that the Commission might want to look at the interior anyway.

Dr. Albert Shumate, representing the Landmarks Preservation Advisory Board, said that when the matter was taken up last spring, notices were sent out and there was no objection to the designation at that time. He mentioned that the interior views could be seen in a newspaper feature of several years ago. Mr. Burke responded that an on-the-spot inspection would be far more revelatory as to the present condition. He noted that Mrs. Rousseau had been 93 years old and possibly rather senile at the time the Landmarks Preservation Advisory Board was considering the matter.

Commissioner Farrell asked Dr. Shumate whether the Landmarks Board considered the view of the owner when evaluating a proposal for landmark designation. Dr. Shumate responded that the owner's view has a great deal to do with the designation, but at the time of the hearing last spring the Landmarks Board was not aware of any objection. Commissioner Farrell pointed out that landmark designation was based on the building rather than on a person's view.

President Newman stated that the Director had recommended that the matter be continued until the 7th of November. Commissioner Rueda amended his motion to that effect. Mr. Mellon seconded the motion and it was unanimously carried that the consideration of the Atherton House as a landmark be continued until the regular meeting of the City Planning Commission of November 7, 1974.

LM74.8 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE ROTHSCHILD HOUSE,
964 EDDY STREET, AS A LANDMARK.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), using photographs made the presentation by summarizing the following report: .

"Although ownership is established from 1880 to the present day, the history of this dwelling is somewhat unclear. In a large measure, this stems from the fact that it does not appear to have been owner-occupied until possibly as late as 1958.

"Water Department records indicate that Hugo Rothschild applied for water service at this location in August 1880 and property records indicate that he did own the property from that date until 1902. Hugo Rothschild was born in Rottweil, Wurttemberg, Germany in 1842; his wife, Fanny, was born in London. He arrived in San Francisco about 1867 and, in partnership with George Ehrenpfort established a confectionery factory known as Rothschild-Ehrenpfort. The Rothschilds were the parents of two children, Oscar and Henriette; the daughter was the first wife of the distinguished California anthropologist, Alfred Kroeber.

"There is no record of the Rothschilds having lived in the house, rather during their years of ownership of this property, the City Directories list their residence some few doors down the street at 924 Eddy. Concurrently for those years, the Ehrenpforts' residence is listed at 926 Eddy--in all probability, the two families were housed in the same building.

"Subsequent owners were Minnie Cohen who, in 1911, willed the property to her brothers, Philip and Marks Cohen. The house remained in the Cohen family until 1937 when it was purchased by Nicholas Vrabie, followed by Carl A. Sowil, Annia Nagi and Buford Watson. From very early in its existence the house appears to have been used as a rooming house and, finally, as apartments. It was purchased in January 1974 by its current owner, Sally J. Walker, who has undertaken its rehabilitation and restoration as well as its reconversion to a single family dwelling.

"ARCHITECTURE: (Note: At the point of this writing, the structure is undergoing renovation and the description which follows is with reference to the completed project.)

"The structure, a fine example of restrained Italianate styling, is of wood-frame with two living floors above a ground level basement. It is set back from the front property line and also has a setback in two increments along its easterly side. The principal, or Eddy Street facade, is arranged typically of its time with slanted bay windows, a portico and a pronounced cornice at the roofline. The bay windows occupy the right side of the facade and their plan outline is reflected in all elements of the bay from the basement through the upper cornice. A strong vertical emphasis is given by the composition of the bay and other features, and by the decorative woodwork embellishing them.

"The slightly arched windows are tall and narrow and in the bay are separated by pipestem colonettes. Horizontal elements in the bay consist of paneling below the windows and dentilated cornices above, with the greater amount of detail occurring in the cornice above the main floor windows.

The center window of each bay features a pediment which is arched in the lower bay and triangular shaped in the upper. The walls above basement level are covered with comparatively wide horizontal sheathing whose strongly shadowed joints counterbalance the vertical emphasis of the projecting architectural elements.

"The portico, to the left of the bays, features an elaborate roof which is supported at its front by Corinthian columns which are cabled in their lower thirds to reduce their vertical emphasis. The roof is composed of a cornice identical in height and similar in detail to the one above the main floor bay windows, with which it aligns horizontally. A triangular pediment rises from this cornice. The cornice is crowned with a low balustrade, the treatment of which is similar to the railing and newel posts of the steps leading to the portico. A single window is centered above the portico and is capped by a bracketed cornice with a triangular pediment.

"The roofline cornice is deep and because it is closely bracketed, adds a suggestion of verticality. The brackets appear in two sizes and are separated by dentils and paneling. The three wider brackets are found above quoins which run the full height of the two main floors. These are located at each end of the facade and also aligned with the right side of the portico. The bracketed cornice returns along the deeper set portion of the easterly facade with a simplified cornice along the remainder. Windows in this deeper setback are treated similarly, though not identically, to the window above the portico.

"ZONING AND SURROUNDING LAND USE: Zoning is R-4 (High density multiple residential); Height Limit is 130-E. The parcel is located in Redevelopment Area A-2 and the surrounding land use is mixed. Several parcels to the east are vacant; scattered residential uses are found in the vicinity along with institutional uses such as schools, a mental health agency and a church.

"SPECIAL RECOGNITION: Designated, as part of a longer row, by the San Francisco Redevelopment Agency and the agency-appointed Conservation Committee for rehabilitation on site due to its Exceptional Historical and Architectural Merit. The row is also prominently featured in Here Today."

Commissioner Fleishhacker said that the picture of the building was very complimentary, much better than the building actually looked now.

Commissioner Mellon said that he did not want to appear to attack the landmark designation but it looked to him that like the building was more a candidate for demolition than preservation. He thought that the matter should be postponed for 60 days or it should be disapproved. He wondered what the Landmark Preservation Board's rationale was on this matter.

Dr. Albert Shumate, representing the Landmarks Preservation Advisory Board, said he personally saw no historical basis for the designation.

Mrs. Sally J. Walker, owner of the building, indicated that the building had been gone through very thoroughly by an inspector. In the process, the building had been brought up to code. She anticipated that it would be painted next year. She indicated that she would be very happy with the landmark designation.

Commissioner Ritchie asked if there were not an historical basis for the designation, then why should it be done. Dr. Shumate referred to Ed Michael, Planner III, of the landmarks staff, for an answer. Mr. Michael indicated that there were four possible reasons for designation: special character, architecture, history, or aesthetic merit. He indicated further that all of those need not be present to have a landmark designation.

Commissioner Ritchie pointed out that this building was similar to many others and that there was really nothing special about it. There were many other houses in San Francisco which would qualify for designation if this one were so designated.

The Director indicated that he had been told by Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, that this building was one that had been designated by the Redevelopment Agency as an outstanding building, one to be saved. He indicated that he was told that the interior of this building had already been magnificently restored to a high degree and that the Commission may want to consider that.

Commissioner Ritchie indicated that it sounded like a lovely old home but he was not certain that it was exceptional. He pointed out that the interiors were not the concern of the City Planning Commission. He wondered if every owner who had a two-story Italianate building would ask for the same thing. He said that he did not think it was a landmark more than many others in the city.

Commissioner Fleishhacker agreed with Commissioner Ritchie with one exception: he felt this was one of the worst looking buildings that he had seen, that it was really a horror. He thought that the Commission would be laughed at if it designated it as a landmark. He did allow that it may look better when it is fixed up.

Commissioner Ritchie suggested that the Commission postpone consideration of the building until the restoration was complete. Commissioner Porter responded that if Commissioner Ritchie thought it was just another Italianate now, would it not be the same when it was restored. She felt that it was either a landmark or it was not. She indicated that the Landmark Board vote had been unanimous.

Commissioner Ritchie suggested postponing consideration of this building until the remodeling was complete, then look at it again, since the owner hoped to have the facade restored by the first of the coming year. Commissioner Mellon moved to deny designation at this time with the proviso that it could be considered a second time. The motion was seconded by Commissioner Ritchie. Mr. Jacobs pointed out if it were denied landmark status now, it could be considered again in another year. Commissioner Fleishhacker believed that the building would still be there for another year. When the motion was called, it was carried unanimously to adopt Resolution No. 7246 denying designation of the Rothschild House at 964 Eddy Street as a landmark.

LM74.9 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE STANYAN HOUSE,
2006 BUSH STREET, AS A LANDMARK.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter by summarizing the following report:

"The Stanyan House is one of the oldest houses in the city, and remained in the Stanyan family for five generations. In 1974 it was sold to the present owner.

"According to a publication by the Colonial Dames, the house was built in 1852, at the northwest corner of Bush and Buchanan. The Stanyan family, however, believes that the house was built in 1854 and that Charles Stanyan purchased it some six months after it was erected on the site. When Loma Mountain Cemetery opened in 1854, Bush Street served as a toll road and had wooden plank sidewalks. 'The house was originally surrounded by a large, wooded garden with an ornate spindle fence on top of a stone bulkhead.'¹ There was a large well in the yard and water was first installed by Mr. Stanyan in 1864. The double houses on each side were built beside it in 1892, occupying the garden area.

"Sam Stanyan was the first of the Stanyan Family to come to San Francisco. His son, Charles Hendee Stanyan, was born in the City, and the first known resident of this house, according to the City Directory of 1868-69. Previously Mr. Stanyan lived on the west side of Polk Street between Sacramento and Clay. In the 1850's he was a member of the Committee of Vigilance and was on the Board of Supervisors from 1865-1869, representing the Twelfth Ward. He was Chairman of the Outside Lands Committee, which was responsible for appraising lands outside the city charter limits and obtaining public land for Golden Gate Park, Buena Vista Park, Mountain Lake Park, the cemetery near Point Lobos, and public schools. Stanyan Street, forming the easterly border of Golden Gate Park, was named after Charles Stanyan.

"Charles Stanyan, Jr., grandson of the pioneer, was President of the Stanford Parlor of the Native Sons of the Golden West. He died on July 5, 1936 at the age of 69. Charles Stanyan, Jr. was survived by his widow Jennie B. Stanyan, sister Jennie H. Stanyan daughter Mrs. Henry P. Buckingham, and three grandsons, Charles H. Stanyan IV, Henry Buckingham, Jr., and Stanyan Buckingham. Shortly after the death of Charles Stanyan, Jr., the house was rented.

"Through August, 1974, the house was owned by Mrs. Henry P. (Martha) Buckingham, granddaughter of the original owner, and her nephew Charles H. Stanyan IV. Mrs. Buckingham was married in the house in 1923. This house was owned by the same family for over 110 years and four generations of the family have actually lived there.

¹Colonial Dames, Builders of San Francisco and some of Their Early Homes, 1935, P.24

"The Stanyan family also owns the cottage at 1907 Buchanan, just around the corner, which was moved from Bush and Hyde in 1875. They have done extensive renovation on this property.

"A prefabricated house shipped 'round the horn from Boston, it is one of the earliest of this type and one of the oldest existing houses in San Francisco. The architectural styling of this house is very simple, and reflects the New England area from where it came. The house is two stories with horizontal wooden siding and contains fourteen rooms. There is a small garden area in front and the entry is one flight up from street level. The second level overhangs the first, so that a recessed porch area is created. The overhang is supported at the front by rectangular split columns, between which are three rounded arches. The main entrance door is behind the most westerly arch and windows are behind the other two. The second story is simply articulated by three rectangular windows just above the porch cornice and reaching to the level of the roofline. A small round window opening is above the middle window and closer to the peak of the roof.

"The New England simplicity of this house distinguishes it from its later Victorian neighbors.

"Zoning is R-2, two-family residential, but the surrounding land use is primarily medium density residential which was allowed under the former zoning."

Dr. Albert Shumate, representing the Landmarks Preservation Advisory Board, said that this was quite an important house. The Stanyan family had owned it until recently and they were in favor of the designation. It was one of the first houses in the Western Addition area, and it was important to have it designated.

Commissioner Porter moved, Commissioner Rueda seconded, and it was carried unanimously to adopt Resolution No. 7247 designating the Stanyan House at 2006 Bush Street as a landmark.

At this point in the proceedings, 3:20 p.m., President Newman adjourned the meeting to Room 282, City Hall for the 3:00 p.m. calendar. Commissioner Ritchie absented himself from the meeting for the remainder of the time.

The Commission reconvened at Room 282, City Hall, at 3:30 p.m.

3:00 P.M. - Room 282, City Hall

CU74.47 - 240-58 CLINTON PARK, NORTH SIDE 218 FEET EAST OF DOLORES STREET.
REQUEST FOR AUTHORIZATION TO ENLARGE THE EXISTING MORTUARY PARKING LOT AND TO LANDSCAPE THE ENTIRE PARCEL NOW VACANT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), summarized the case as follows:

"PROPOSAL:

To enlarge the existing parking lot by adding lots 51 through 54 to the area fronting on Duboce Avenue previously authorized for parking. Grading, paving and landscaping would be done so that the resulting parking lot would have a unified appearance.

"APPLICANT:

Gantner Felder Kenny, funeral directors and owners of the property.

"APPLICANT'S STATEMENT:

'The parking lot will provide parking for the many patrons of the company which will relieve the congestion on the nearby streets; it will allow the residents of the neighborhood additional street parking which is now taken by patrons of the mortuary. It will allow patrons to park next to the mortuary without their need of walking at night any distance to their cars.

'The gates at the south side of the parking area will remain closed at all times, except after a large funeral when a cortege is formed in the parking lot, and all cars will exit down Clinton Park in a procession that will last about three minutes and will occur an average of four times a week.'

**"ENVIRONMENTAL REVIEW
STATUS:**

Negative Declaration issued August 16, 1974.

**"SURROUNDING LAND USE
& ZONING:**

The subject property is located within an R-4 (High Density Multiple Residential) district along a predominantly residential street frontage with the exception of an automobile storage garage and an auto rental office at the corner of Market Street. The Market Street frontage to the north and west is a C-2 (Community Business) district, which includes the mortuary, the existing parking lot, an automobile sales and service business, two gas stations, business offices, the Safeway shopping center, and several parking lots. The area to the south and east is an R-4 district consisting of a mixture of single and two family residences and medium to high density apartment buildings.

"PLANNING PROVISIONS:

Section 202.2 lists a parking lot as regulated in Section 141 as a use eligible for conditional use consideration. Under R-4 density standards, 47 dwelling units could be developed on this property.

**"PRIOR ACTIONS AND OTHER
CONSIDERATIONS:**

A 75 feet by 90 feet parking lot on Duboce Street adjacent to the mortuary was established in 1953 pursuant to application Z 53.6. That lot was expanded eastward 25 feet in 1959 with stipulation, requiring grading, paving and landscaping.

Following a complaint received in June 1970, that the parking area had been enlarged into the residentially zoned district fronting on Clinton Park, enforcement action was taken and the applicant filed conditional use application CU72.9. Resolution No. 6829 approved the use of the four lots for parking with seven conditions including one prohibiting access or egress from Clinton Park, another requiring landscaping, and the last condition which provided that the authorization for use of the Clinton Park property would be considered abandoned unless the landscaping were installed within six months.

The current application is the result of continuous enforcement action and is necessary because (1) no landscaping was done under Resolution No. 6829, (2) because a fifth lot on Clinton Park has been acquired and the dwelling on that lot has been demolished to include it in the parking lot and (3) because the applicant has been using Clinton Park for egress contrary to the earlier condition."

President Newman asked if the applicant was present; he was.

Louis Felder, President of Gantner Felder Kenny, directors and owner of the property, stated that they wanted to pave the parking lot and put a gate in at Clinton Park. He indicated that he had discussed with Planning Department staff various issues such as landscaping and lighting. He indicated that a difficulty arose over the question of egress to Clinton Park which is necessary for a couple of reasons, primarily that of safety. When cars have to go to Duboce and line up for a cortege, both streets are congested when there is only one lane. Cars have to go over the double line. He felt that the solution would be to pave the lot,

line up the cars, then exit down Clinton Park. This would use Clinton Park for egress for a period of about five minutes a day. The rest of the time the gate would be locked. He felt that residents would not want a solid wall facing Clinton Park. He indicated that he had communicated with S. Myron Tatarian, Director of the Department of Public Works, asking about the use of Clinton Park. In answer to Mr. Felder's question, Mr. Tatarian had written the following response:

"You do have the right of access to Clinton Park as a property owner on one side of the street.

"The use of Clinton Park for corteges as described in the telephone conversation should not present any traffic problems on Clinton Park. Traffic circulation in the area should not be affected. Your suggestion that you will line up your corteges in your parking lot will improve traffic conditions on Duboce Avenue."

Commissioner Fleishhacker asked why the cars could not exit on Duboce if they were lined up in the parking lot. Mr. Felder explained that in order to get the cars lined up in a straight line, they would have to come in one way and go out the other, a situation which would make it impossible to exit on Duboce. The cars would have to circle around in the lot, and this was impossible.

President Newman noted that the Commissioners on their field trip observed a substantial difference in the grade between the two lots. Mr. Steele indicated that the property would have to be graded, and that the applicant had agreed to do this. Mr. Felder believed that there was agreement along all lines except with respect to the gate. Mr. Steele showed the Commission the model of the property.

Commissioner Rueda asked what the average number of automobiles were in each cortege, to which Mr. Felder answered seven. In that case, asked Commissioner Rueda, why could not parking be restricted to one side of the street? Mr. Felder said that it is when they have 20 or 30 cars in a cortege that it is a problem. In response to the question of whether a restriction that only when 20 or more cars were involved should they be allowed to exit onto Clinton Park would be agreeable, Mr. Felder responded yes.

President Newman asked if anyone wished to speak in favor of the conditional use under question. Anna Lecture, 236 Clinton Street, indicated that she was for the conditional use but against the fence because she did not want anything built in the way of solid fence or heavy landscaping which would obscure clear views through the property and make the area a muggers' paradise. She was also in favor of paving the lot because of the dirt problem. She said she had no objection to funeral corteges but her opposition was to the fence, shrubbery and other things blocking the view.

John Hickin, 232 Clinton Park, said he did not want the lot blocked off by a fence. He indicated that he had repainted his house and put a new roof on it, but now it was covered with dust. He was also concerned about safety and indicated

that robbery and purse snatching would increase if the area were closed off. He also mentioned that the Fire Department had a problem with the one-way street if access to the lot were closed.

Steve Jacoby, Vice President of the Mission Planning Council at 1866 Guerrero, indicated that the Mission Planning Council would prefer that the lot be used for housing, but failing that, the Mission Planning Council would ordinarily ask that a condition be imposed to protect the neighborhood of the remaining housing stock. He pointed out that the Mission Planning Council understood that previous conditional use permits have included provisions which had been ignored by this owner, and therefore that the Mission Planning Council would oppose any further issuance of permits to this owner until all past conditions have been complied with.

Allan B. Jacobs, Director of Planning, recommended approval of the conditional use application with certain specific conditions which were provided in the draft resolution. With respect to the problem about the fence, he suggested that the words "solid fence" come out of the conditions.

President Newman asked the applicant if the conditions were acceptable to him. Mr. Felder responded that they were not, since he would still like the gate open a few times during the day. He pointed out that Duboce was a very fast street and it is hard to bring cars out on it. He indicated that part of planning was to plan for safety. To this last point, Mr. Jacobs responded that part of planning was also not to introduce traffic onto residential streets.

Commissioner Porter observed that, with respect to cars going out onto Clinton Park, the residents did not seem to object.

Mr. Jacobs responded that once a change is made, that change stays. He indicated that he was in disagreement with respect to the issue of traffic and that there was no way of guaranteeing that this traffic situation would occur only five minutes per day.

Commissioner Mellon indicated that he was impressed by Tatarian's letter which indicated that he had made the determination that no great risks were involved. He pointed out that the problem with respect to corteges is a very real one but that usually funerals were not held during peak traffic hours. He thought that the proposed situation seems safer than the way it was being handled now since Guerrero is a busy thoroughfare. He indicated that he would like to see the recommendation amended to allow egress on to Clinton Park.

Commissioner Farrell felt that consideration should be given to the fact that the traffic set up was agreeable to the neighbors.

Commissioner Rueda said that the residents might not be fully aware of all the traffic that would dump onto Clinton Park. He asked the question as to whether the residents would rather have no fence at all. The residents responded yes. Commissioner Rueda asked who the woman was representing. The woman indicated she was speaking for herself and that she did not think there was a traffic problem.

Commissioner Fleishhacker, in attempting to fully understand the situation, asked if there would not be a traffic problem on Guerrero as a result of this plan. Mr. Felder responded that Duboce is east bound one-way. Commissioner Fleishhacker asked how they would make a right turn since it appeared to him they would have to halt the south bound traffic. Mr. Felder responded that they already have men who stop traffic in this kind of situation.

Commissioner Mellon indicated that he had been to some funerals at that funeral parlor and that it was very difficult to get out onto Duboce. He further indicated that he agreed with the position contained in Mr. Tatarian's letter.

After further discussion, it was moved by Commissioner Rueda and seconded by Commissioner Mellon, to approve the conditional use with certain specific conditions including a sentence to be drafted by the staff of the City Planning Department specifying the appropriate type of fence. Mr Steele indicated that a four-foot retaining wall was already required.

Commissioner Porter said she disliked making major changes when there has been no time to give any thought to the situation.

When the question was called, the Commission voted 5 to 1 to adopt Resolution No. 7248 approving the Conditional Use on Clinton Park Street for a parking lot. Commissioners Farrell, Mellon, Newman, Porter, and Rueda voted "Aye"; Commissioner Fleishhacker voted "No".

CU74.52 - 1360 ARMY STREET, APPROXIMATELY 226,000 SQUARE FEET OF LAND WITHIN THE BLOCKS BOUNDED BY ARMY, PENNSYLVANIA, INDIANA, AND 25TH STREETS. REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING AND DISMANTLING YARD.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported on this matter by summarizing the case report as follows:

"PROPOSAL:

To relocate the present auto storage and wrecking yard from 998 Egbert Street to this location.

Current plans call for the northern four fifths of the property to be used for storage of cars which have been towed under contract with the City to clear city streets. These cars must be held until returned to their owners or until the title is cleared for sale or wrecking. The southern one fifth of the property would be used for dismantling and compacting of cars in preparation for shipment to a metal salvage operation in Oakland.

Tow cars use city streets rather than freeways when bringing cars to the storage yard. They would enter the yard from Indiana Street and exit onto 26th Street. Trucks taking compacted cars away would enter and exit on Army Street and would be expected to use the freeway to Oakland.

"APPLICANT:

Tow Car Association, Inc., authorized agent for the owner, the State of California Department of Transportation.

"APPLICANT'S STATEMENT:

'Storage and disposal of abandoned vehicles; Stacking of vehicles held for dismantling not to exceed 3 feet; One sign only to advise owners of vehicles of location of office. Vehicles will be crushed and shipped as soon as legally cleared by the Police Department and Motor Vehicle Department. This usually requires from 30 to 60 days although out-of-state vehicles require longer.'

"ENVIRONMENTAL REVIEW
STATUS:

A negative declaration was issued September 6, 1974.

"SURROUNDING LAND USE
& ZONING:

The subject property is located within a major M-2 district under the elevated Southern Freeway. The site is bordered on the west by a landscaped freeway on-ramp, a service station and enclosed warehouses across Pennsylvania Street. A large chemical plant is located to the south across Army Street with an adjacent bus storage yard. Along the western boundary of the site is a service station and three warehouse structures. Warehouses and enclosed manufacturing structures are located across Indiana Street. A spur line of the Western Pacific Railway borders the site to the north and additional vacant land is located under the freeway running to the north. Several auto wrecking operations have located within this section of the City, the closest located 2 blocks to the southwest across Islais Creek Channel.

An M-1 (Light Industrial) district borders the site at the northwest corner and contains vacant lots, a few metal storage structures, a few dwellings and a large PG&E gas tank. An R-3 (Low-Medium Density Multiple Residential) district

is located 2 blocks to the northwest of the site on the southeast slope of Potrero Hill. It contains a few single and two-family residences and a Housing Authority project.

The yard could be viewed from this residential district although the freeway would obstruct much of this view. It could be viewed with difficulty from the freeway.

"PLANNING CODE
PROVISIONS:

An automobile wrecking yard is defined in the Code as disassembling, dismantling, junking or 'wrecking' of motor vehicles of any type, or the storage of such vehicles not in operable condition. An automobile wrecking yard is permitted as a Conditional Use in an M-1 district, provided that there is sufficient working space on the property to permit proper functioning of the operation without use of any public right-of-way for storage of inoperable cars or parts, and that the operation shall be clearly separated from adjacent properties and public rights-of-way.

"PREVIOUS PLANNING
COMMISSION ACTION:

The Planning Commission by its Resolution No. 7219, adopted on August 1, 1974, authorized the continuation of the Tow Car Association's automobile wrecking yard at 998 Egbert Street for a period of one year. This authorization therefore will be terminated August 1, 1975.

"CITY PLANNING
COMMISSION
GUIDELINES:

The City Planning Commission Resolution No. 6358 dated April 3, 1969, set guidelines for review of Conditional Use applications for automobile wrecking yards. Time limits may be set on the duration of a conditional use approval on the basis of master plans for the area, anticipated future development or other considerations. Location should be evaluated in terms of current land use in the area; the visibility of the site from other locations and areas of the City, especially as these areas are affected by topography; proximity of Residential, Public and Commercial zoning districts; accessibility of the proposed location from freeways and major thoroughfares; patterns of traffic to be generated by the proposed wrecking yard in relation to nearby residential and other development. In considering compatibility with neighboring land uses, both industrial and residential, the City Planning Commission may require total enclosure within a building of the

auto dismantling operation. Wrecking yards should be located not less than 500 feet from any Residential or Public zoning district, but exceptions may be made where there are intervening uses or exceptional separation due to topography or screening. The necessity for and type of fencing required depends on the character of surrounding uses, visual and topographic factors, and requirements of other Departments. Normally a fence at least 8 feet high should be constructed and maintained; openings in the fence should be no larger than 15 feet wide and have gates or doors of the same height and consistent in character with the fencing. When the wrecking yard is not open for business the gates or doors should be kept securely closed. Generally, open storage of vehicles or parts should not exceed the height of the fence or 10 feet, whichever is higher. No storage is permitted on roofs. The hours of operation may be limited where necessary to protect nearby properties. The Commission should review the plans for provision of aisles and adequate spacing to separate stores' materials; provision of a suitable location on the property for safe-keeping of required records; surfacing of the site with gravel or hardtop or other appropriate manner; adequate drainage facilities to prevent accumulation of water on the site; connection with a sanitary sewer, when available. Other conditions may be imposed by the Commission, consistent with the general conditional use criteria."

Thomas Graham, the attorney representing the applicant, Tow Car Association, Inc., authorized agent for the owner, the State of California Department of Transportation, showed a map of the site. He stated that he represented 12 towing companies which represented 75-85% of all the cars towed in San Francisco. He indicated that the towed cars cannot be stored outside of San Francisco because of Police jurisdiction. He pointed out that the Tow Car Association held a month-to-month lease at a site near Candlestick Park which must be vacated shortly. The parcel in question would be used to store cars until claims are resolved. Approximately 75% of the site would be used for storage, 25% for recycling.

Mr. Graham indicated that the subject is parcel owned by the State of California which has placed very stringent limitations on the property such as no large cranes, no fires, no stacking above a height of eight feet. He indicated that the service is free to taxpayers. He then gave the Commission a group of pictures which pointed out various tow car operations. Mr. Graham indicated that a 10-foot (cyclone) fence with redwood slats was proposed to reduce noise and that no cars would be visible above the ten foot level. The project was going to cost approximately \$40,000. The area in question was already in industrial use. Towers would

not need to go on or off the freeway; therefore, the design would not bog down freeway access. With respect to noise, Mr. Graham indicated that a noise study had been done by the City, that certain noise tests were made, and that the noise level of this project would fall within acceptable noise levels. Mr. Graham indicated that he had worked with the Department of City Planning on landscaping. He said that dust would not be a factor since the driveway areas will be paved.

Mr. Newman asked if anyone was present in the audience who wished to speak in favor of the conditional use application. No one was. President Newman then asked if anyone was in the audience who wished to speak in opposition to the proposed conditional use application.

Edward Mitchell, an owner of property in the area and a member of the San Francisco Industrial Merchants Association, said that this was the only industrial area which had been built up in the last eight years. There were 46 tenants there and the property has been kept up very well. He indicated that with respect to the 10-foot fence there would still be areas where the fence would not hide what was inside. He presented photographs to the Commission. He said that this was a fairly neat neighborhood, much better than that at Egbert Street which was a disgrace even though it was only three or four years old. He indicated that if something like the Tow Car Association is allowed to come in to the area, the tenants would be very upset, and some of them might leave the area.

Commissioner Rueda asked if the State had any restriction regarding fire. Mr. Steele responded that there were some restrictions regarding the types of materials used. Commissioner Rueda asked about inflammable materials. Mr. Graham responded that there would be no fires on the property. Mr. Steele added that there was a requirement that not more than 50 gallons of fuel be permitted on the property at any one time.

Mr. Mitchell said that there was no sewer on the property and the closest one was five blocks away. He also pointed out that a San Francisco ordinance required the parking lot to be paved.

Glen Sterne, President of Ferry Steel Products and Equipment Company, at 25th Street and Indiana, said that the buildings there were less than 10 years old. He indicated that Indiana was a one-way street and very heavily used since it was the on-ramp to Interstate 280. He pointed out that 25th Street was also very heavily used; he felt that hauling things on that street would be detrimental. He also felt that there would be more tax revenue for the City if there were buildings on the site rather than this proposed use. He questioned whether there would be off-street parking for the employees of the Tow Car Association.

Herbert Meyer, representing the owners of the building on Indiana and Army Streets, a building of 70,000 square feet which covered almost the entire block, strongly opposed the wrecking yard for similar reasons. He felt that the yard would congest the area, that the 10-foot fence would hide the yard only minimally since the road rises as one goes off Pennsylvania to the on-ramp to the freeway. One could see the yard from the freeway, and it was inconceivable to put a wrecking

yard on the freeway system since it was an entrance to the City. He also objected to the fact that there was no sewer on the property. He pointed out also that parking was well used in that area and there was no room for additional parking. He concluded by saying that this is the wrong place to put a wrecking yard.

President Newman pointed out that letters had been received from 11 business concerns who were in strong opposition and that a petition had been received with some 46 names on it though there were some duplications.

Mr. Steele then presented the Director's recommendation which was to approve the conditional use with 14 specific conditions which were noted in the draft resolution.

President Newman asked if the conditions were acceptable to the applicant. The applicant responded in the affirmative. Mr. Fleishhacker asked about the condition of providing sewers. The applicant responded that if sewers were necessary they would be provided. Commissioner Fleishhacker noted that providing sewers was one of the conditions.

Commissioner Rueda asked if the Police Department felt there was a need for this type of facility. The representative of the Police Department indicated that between 37 and 40 cars a day or 8,000 cars a year were towed by this association and that if the Police Department did not have a place like this there would be no place to store abandoned automobiles.

Commissioner Rueda asked if other wrecking yards were up to capacity. The representative of the Police Department responded that this was the only tow car company that the police used; the room there is sufficient but they are about ready to be thrown out of that area.

President Newman asked if this were a place for stolen cars. The response was that it was only for abandoned cars.

Commissioner Mellon asked if this was a service for the Police Department. The representative of the Police Department replied in the affirmative.

In response to a question from Mr. Meyer, Mr. Jacobs responded that it was not necessary for the Department of City Planning to find alternative sites, but to determine whether what is proposed is in conformity with the Master Plan and makes sense. He indicated that over the years the Department has turned down many sites, particularly those which had a tendency to be abutting to residential areas. He pointed out that wrecking lots have had a long hard history in San Francisco and that the staff had turned down as many if not more sites than they had approved.

President Newman confirmed that this was an extremely difficult situation which the Commission took very seriously. Mr. Meyer wondered further whether the sewerage situation had been considered. President Newman responded that the applicant would be required by the conditions of the conditional use to do whatever is necessary as required by law.

Mr. Meyer asked about the noise situation. Mr. Steele responded that a diesel motor was necessary to drive the compressor which flattened the cars and that would make some noise. The fact that it is by the freeway and that a simulation test of the noise indicated that the noise increase would probably be minimal and that proper fencing would abate the situation. He pointed out that further test would be made when the facility was in operation to determine if additional measures were necessary.

After further discussion it was moved by Commissioner Rueda that the conditional use be granted with certain conditions. He also added that he hoped the Tow Car Association would conduct themselves with consideration for their neighbors and the areas around them. This motion was seconded by Commissioner Mellon.

Commissioner Fleishhacker asked about the employee parking. Mr. Steele responded that parking could be added inside the property. At the request of Commissioner Fleishhacker, Commissioner Rueda and Commissioner Mellon amended their motion and second to include an additional condition which would speak to the issue of employee parking. Additional condition of 10 spaces of off-street parking was added.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7249, approving the conditional use for the automobile wrecking operation at 1360 Army Street with 15 specific conditions.

3:30 P.M. Calendar

CONSIDERATION OF SEPTEMBER, 1974, DRAFT OF PROPOSED SUBDIVISION ORDINANCE.

President Newman opened the public meeting on the draft of the proposed subdivision ordinance in the following Manner:

"The expressed purpose of today's public meeting is for the City Planning Commission to hear public testimony on the September, 1974, draft of a proposed subdivision ordinance that is the result of a joint study by staff of the Department of Public Works, the City Attorney's Office, and the Department of City Planning.

"For those in the audience that were not present at the September 12th Commission meeting I might repeat that this proposed subdivision ordinance is not a part of the City Planning Code but would be a new regulatory code entitled Subdivision Ordinance, Part II Chapter XIII of the Municipal Code. It would prescribe the powers and duties of the Department of Public Works, the Department of City Planning and the Board of Supervisors.

"Because this is not an amendment to the City Planning Code a public hearing on the ordinance by the City Planning Commission is not required. Such hearings will be held by the Board of Supervisors. However, because of the interest and concerns expressed by the various affected groups, the Commission feels that it is appropriate to have this public meeting today to hear testimony on this proposed draft before it is transmitted to the Board of Supervisors for hearing and adoption."

At this point of the proceedings, Commissioner Mellon asked to be excused for this portion of the meeting since his place of residence might cause him to have a conflict of interest.

Commissioner Rueda indicated that there had been the possibility of a conflict of interest when his son lived in a Parkmerced apartment, but that his son had moved out and therefore he would remain.

President Newman then turned the meeting over to Allan B. Jacobs, Director of City Planning for his remarks as follows:

"On May 20, 1974, the Board of Supervisors declared a moratorium on the Conversion to condominium ownership of any project of 25 or more units. This action was taken in light of the application by the Parkmerced Corporation to convert approximately 3,500 units, and with the purpose of allowing time for the preparation of regulatory legislation. The Department of Public Works, the City Attorney's Office and the Department of City Planning were charged with the responsibility of preparing the proposal for consideration by the Board.

"San Francisco does not have a subdivision ordinance; rather, it has guided the subdivision application process in the past with regulations and the powers granted by the California Subdivision Map Act. Creation of a condominium, whether by new construction or by conversion, is a subdivision under California law. Thus, local legislation on condominium conversions is properly a part of a subdivision ordinance.

"Under the Subdivision Map Act, one agency is designated as the 'Advisory Agency' to be in charge of the review process. In San Francisco, the Director of Public Works is so designated; therefore, in the drafting of this ordinance, the Department of Public Works has had the primary responsibility. Although the Department of City Planning has contributed to all parts of the draft, its primary concern has been conversions and, to a lesser extent, new condominiums.

"The Subdivision Map Act is at various points general and at others specific. The language of the draft ordinance speaks to the needs of San Francisco, within the framework of the Act.

"Section 11526(c) of the Act states that an application must be denied if it does not conform to the 'general and specific plans of a city.' Government Code Section 65302(c) requires that each city have a housing element of its Comprehensive Plan and that the element 'make adequate provision for all economic segments of the community.' It is on this basis that requirements have been included in the ordinance to carry out the policies and objectives of the Residence Element of the Master Plan as they relate to subdivisions, including condominiums and conversions.

"While the Director of Public Works is designated as the Advisory Agency, nevertheless the Charter places in the City Planning Commission the responsibility for determining compliance with the Master Plan. Thus, while the Department of City Planning is only one of the agencies consulted by the Department of Public Works in its review of a proposed subdivision, the City Planning Commission has authority to prevent approval of any project by its finding that the project is not in compliance with the Master Plan. It follows that the City Planning Commission may also indicate conditions under which any proposed project would be in compliance.

"There are at least two sources of regulation in addition to the specific requirements of the ordinance. First, the California State Department of Real Estate is very active in the field of subdivision regulation. Many of the problems in the transaction between subdivider and purchaser are addressed by that agency. Second, beyond the enumerated requirements of the ordinance, the City Planning Commission has direct power under the Charter to evaluate each project with respect to the entire Master Plan."

Mr. Jacobs indicated that since this was in a public hearing format, the staff would withhold the comment until the end of the hearing.

Michael Carroll, of the Parkmerced Residents Organization, said that he represented all San Francisco residents of which Parkmerced was only a small part. By show of hands he pointed out to the Commission that a good majority of the people attending the hearing were Parkmerced residents who had come out in support of the ordinance. Mr. Carroll felt that in reviewing Section 1385, some problems were raised, among them the following: A developer could promise to perform all requirements, yet there might be no holds over him after the parcel map is approved; the question of who would enforce the provision; relocation after the final map is approved; what if the City abandoned the Central Relocation Service. He said that there were many people over 60 years of age who do not want to buy condominiums; in a survey that he conducted, 90% would not want to purchase. He noted that in Subsection J there was a provision which actually goes further than the Master Plan. He felt that the Planning Commission must find that conversion will not have an adverse effect on rental units in order to approve the conversion. Mr. Carroll pointed out the 1.4% vacancy rate in the City and indicated that rental units were necessary. He noted that the proposal should require 35% tenant approval, indicating that this was not the first time that this type of requirement had been imposed, since in New York all residential leases provide for 35% approval.

Allan Callahan, also representing Parkmerced Residents Organization, paid tribute to the departments who worked together on this condominium subdivision ordinance. He pointed out that although it was a citywide ordinance, this issue came to the attention of the City Planning Commission and the Board of Supervisors when the specific proposal on Parkmerced came up. He noted that the Parkmerced Residents Organization, had noted several specific items of concern in their letter of September 27 to the members of the Commission. Specifically they were the following: 1) That the City Planning Commission should hold public hearings before it determines Master Plan conformity. This would go along with the Residential element of

the Master Plan in which citizen involvement was proposed before a decision is made. 2) With respect to 90 days notice before eviction after an approved conversion, his group felt that this period should be 36 months, and that would be more reasonable. 3) With respect to Section J, the Planning Commission should find that conversion of all or a portion of a residential apartment complex shall not have a substantial adverse impact on the City's rental housing market. 4) With respect to Section K, that at least 35% of the current residents in the then occupied units should approve of the conversion in principle and would be interested in purchasing their units or moving elsewhere. He continued by saying that the biggest opponent of this ordinance was not the developer but was the phrase 'Home ownership is part of the American ethic', and 'An owner should be able to do what he will with his property.' He pointed out that many of the Parkmerced tenants had already owned, put a lot of money and energy into their homes, then sought refuge in an apartment situation. He felt that some areas were addressed in the legislation, for example truth-in-lending laws, because of the abuses in condominium sale procedures, but this might not be too important.

Henry Richman, of the J.H. Snyder Company at 2200 Sacramento and Laguna, in Pacific Heights, stated that his company was in the process of converting 127 units to condominiums. He indicated that some technical changes had been submitted to protect both the developer and the tenant. He said he would like to answer some of the technical changes brought up by the Parkmerced Residents Organization. He felt that the public hearing were okay, but felt that 18 months was an unacceptable period of time as a minimum, since an escrow of 90 days is not unreasonable. He pointed out that if units were not sold, tenancy would be welcome to the tenants. He projected that a project like Parkmerced would probably take 5 to 8 years to convert to owner occupancy. With respect to meaningful criteria for an adverse impact on rental housing, he felt this would make the whole ordinance unenforceable and meaningless. With respect to the suggestion that 35% of the residents must agree to conversion, he felt that this would amount to a confiscation of property. He added an additional point regarding borrowing and indicated that his company has loaned up to 95% on a purchase. He indicated that the payment on a loan was fixed and that rents are not.

Calvin Welch, corresponding Secretary for the Haight-Ashbury Council (HANC), submitted the following letter to the Commission:

"At the direction of the Council's Coordinating Board, I am writing to express HANC's opposition to the draft Subdivision Ordinance (Part II, Chapter 13, Municipal Code) dated September 1974, as it now stands.

"As you and the Commission fully realize, the primary effect this draft ordinance would have in our City is in the regulation of conversions of apartment houses to condominiums. Nearly 30% of all San Franciscans live in apartment houses and close to 90% of all Haight-Ashbury residents live in apartment houses. Moreover, close to 100% of all low income people, both in the City and in the Haight-Ashbury, live in apartment houses.

"Thus, this draft ordinance which seeks to regulate condominium conversions will effect the lives of thousands of San Franciscans, most especially low and moderate income residents who totally rely upon apartment living.

"The Board of the Council is therefore deeply concerned that the 'Purpose' outlined in Section 1302 of the draft ordinance be fully and completely carried out in all other sections of the ordinance.

"However, the present draft ordinance seems to fail to achieve the 'Purpose' of Section 1302 as laid out in subsection b., points 1 and 2.

"The purpose of the ordinance, as set out in the above-cited subsection, calls for any new subdivisions to be 'consistent with the objectives of the Master Plan, particularly the following:

1. Improve the choice, quality and number of housing units, especially for lower and moderate income families;
2. Promote the residential stability and diversity of the community by encouraging neighborhood maintenance, preventing major displacements of people and facilitating inhabitant ownership of residential units...'

"The Board agrees with this purpose wholeheartedly as it is in keeping with the housing policy of the Council. However, the remainder of the draft ordinance fails to achieve the promise of this section.

"Specifically, the draft ordinance (Section 1314) exempts nearly 90% of all apartment units in our community and well over 50% of all apartment units in the City from any public hearing requirements on how conversion is to happen. Section 1314 must be deleted, for all conversions should be subject to a public hearing.

"The whole of the final article (Article 10, Section 1380-1385 inclusive) must be extensively rewritten if true protection for both the continued availability of low and moderate cost apartments and low and moderate income residents is to be achieved. As Article 10 now stands, the result of the ordinance will be to cause the displacement of large numbers of low and moderate income residents and drastically reduce, if not totally eliminate, the existing scarce stock of low to moderate cost apartments in the City.

"Finally, the Board of the Council joins with the Parkmerced Residents Organization in asking that extensive changes be made in the draft ordinance. The Board feels this can best be accomplished by the Commission not forwarding the draft ordinance to the Board of Supervisors until changes are made so that low income residents and the City's already diminishing supply of reasonably priced apartments can be truly protected.

"The Council would be more than willing to assist in the redrafting of the ordinance."

The first part of the report deals with the general situation of the country and the progress of the work during the year. It is followed by a detailed account of the various projects and the results achieved.

The second part of the report deals with the financial situation of the organization. It gives a detailed account of the income and expenditure for the year and shows how the funds have been used.

The third part of the report deals with the personnel of the organization. It gives a detailed account of the staff and the work done by each of them.

The fourth part of the report deals with the future plans of the organization. It gives a detailed account of the work to be done in the next year and the resources required for it.

The fifth part of the report deals with the conclusions of the year. It gives a detailed account of the achievements of the organization and the lessons learned from the experience.

The sixth part of the report deals with the recommendations of the committee. It gives a detailed account of the suggestions made for the improvement of the organization and the steps to be taken to implement them.

The seventh part of the report deals with the appendix. It gives a detailed account of the various documents and reports which have been submitted to the committee during the year.

The eighth part of the report deals with the index. It gives a detailed account of the various subjects and topics which are dealt with in the report.

The ninth part of the report deals with the bibliography. It gives a detailed account of the various books and papers which have been consulted during the preparation of the report.

The tenth part of the report deals with the list of names. It gives a detailed account of the various persons who have been mentioned in the report.

The eleventh part of the report deals with the list of abbreviations. It gives a detailed account of the various abbreviations which have been used in the report.

The twelfth part of the report deals with the list of symbols. It gives a detailed account of the various symbols which have been used in the report.

Mr. Welch added that he was concerned specifically with respect to Article 10 conversions, and would like to be involved in any re-drafting of that article. He found the purposes were generally acceptable and problems could be dealt with by some revision. He said that he felt there were benefits to home ownership; he knew for a fact that it was cheaper to own than to rent in Haight-Ashbury, but believed that the proof would be if the final monthly cost were no higher than the rent.

President Newman asked whether Mr. Welch felt the ordinance should apply to apartments of all sizes. Mr. Welch responded that there had not been a great push to convert smaller units.

Einar Elm, a Parkmerced resident since 1960, congratulated Myron Tatarian, Director of Public Works, on his action. He felt that San Francisco was in need of rental property.

Joe Stevenson, of Kirker Chapman Engineers, engineers of record on conversion of Parkmerced, recommended certain specific changes in the wording of the ordinance. He indicated that he had information on rental cost if any one were interested.

Edith Witt of the Human Rights Commission said that the ordinance was important to the future of the City. There were experiences in other parts of the country which proved that this would be a good situation. She cited a statement from the Housing Committee of the AFL-CIO on the problems of condominiums in the Washington metropolitan area where one out of every ten units had been converted. She said that conversion causes major problems to families. In a situation where 25% of the owner-occupied units are condominiums, the result is a nightmare. Management and recreation fees are introduced later which add to the price. She felt that the tenants of the city should be thankful to the Parkmerced residents who have taken the lead in this field, but she was concerned that residents of San Francisco were not aware what was going on since they had not seen the draft of the ordinance. She felt that the Improvement Plan for Residence which calls for citizen participation had not been actively promoted and that there had not been widespread media coverage. She presented a resolution which had been adopted by the Human Rights Commission in a recent meeting and which called for extending the moratorium for 90 days in order to give time for City agencies, neighborhood and community organizations, labor unions, and the general public to become informed, to discuss and express their views on the important draft subdivision ordinance, which included condominium development and conversion. The resolution contained four major concerns regarding affirmative action, low-and moderate-income housing, minimizing displacement, and citizens participation.

Commissioner Porter indicated that the Commission did want to hear citizen input but had no desire to delay forwarding the ordinance to the Board of Supervisors. She suggested that perhaps the Human Rights Commission could write to the City Planning Department and indicate specifically what parts of the ordinance they wish to change.

President Newman indicated that the Commission had hoped to finish the matter at this meeting since it was really only one step in passing the ordinance along to the Board of Supervisors.

Mr. Jacobs indicated that if the Commission so desired, the staff could answer all of the objections that had been raised by public testimony. He pointed out that there was an issue of time since this was not the Commission's ordinance and that the ordinance should be forwarded to the Board of Supervisors with or without an endorsement. An alternative would be to take the ordinance under advisement until the regular meeting of October 24th at which time the staff could give responses and make whatever other changes seemed appropriate.

President Newman indicated that the Human Rights Commission should feel free to make any comments it wished, but recommended that the Commission take the matter under advisement until October 24.

Subsequently, it was moved by Commissioner Fleishhacker and seconded by Commissioner Porter, that the public testimony be closed and the matter be taken under advisement until the regular meeting of October 24th at which time the staff would respond to the questions raised.

Commissioner Fleishhacker indicated that the real discussion on this ordinance would take place at the Board of Supervisors.

President Newman urged all interested parties to contact the staff and put their comments in writing on any changes that they proposed to the ordinance.

When the question was called, it was unanimously carried to take this matter under advisement until the regularly scheduled meeting of the City Planning Commission on October 24, 1974.

The meeting was adjourned at 5:55 p.m.

Respectfully submitted,

Marie Zeller
Acting Secretary

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Minutes of the Regular Meeting held Thursday, October 10, 1974.

The City Planning Commission met pursuant to notice on Thursday, October 10, 1974, at 2:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; John C. Farrell, Mortimer Fleishhacker, Thomas Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Robert Passmore, Planner V-Zoning; Lucian Blazej, Planning Coordinator; Wayne Rieke, Planner IV; Jerry Connors, Junior Management Assistant; Barbara Barck, Secretary; and Marie Zeller, Acting Secretary.

The San Francisco Examiner was represented by Donald Canter, and the San Francisco Progress was represented by Dan Borsuk.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the minutes of the regular meeting of September 5, 1974, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, indicated that it had been his original intention to recommend cancelling the meeting of October 17, but on the possibility that the Commission might want an executive session, he recommended scheduling the meeting so that the Commission could adjourn to executive session if it so desired.

The Director indicated that the Administrative Code of the City and County of San Francisco provided for two types of revolving funds; one type especially established for individual departments, and the other to provide the purchaser of supplies with funds that set up revolving funds for departments. He pointed out that the Department of City Planning had a limitation of \$400 in its revolving fund and recommended that it be increased to a limit of \$800. This action would require an amendment of Section 10 of the Administrative Code of the City and County of San Francisco, and approval of a supplemental appropriation request to provide the initial funding for the new revolving fund. He placed before the Commissioners a draft resolution to that effect.

THE HISTORY OF THE
CITY OF BOSTON

FROM THE FIRST SETTLEMENT TO THE PRESENT TIME

BY NATHANIEL PHILLIPS

VOLUME I
FROM THE FIRST SETTLEMENT TO THE YEAR 1700

BOSTON: PUBLISHED BY J. B. ALLEN, 1825.

THE HISTORY OF THE CITY OF BOSTON, FROM THE FIRST SETTLEMENT TO THE PRESENT TIME, BY NATHANIEL PHILLIPS. VOLUME I. FROM THE FIRST SETTLEMENT TO THE YEAR 1700. BOSTON: PUBLISHED BY J. B. ALLEN, 1825.

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Commissioner Farrell questioned the amount of \$800, since \$400 was already in the revolving fund. Jerry Connors, Junior Management Assistant, explained that in order to get \$800, the Department would have to give back the \$400.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Fleishhacker, and unanimously carried to adopt Resolution No. 7250 resolving that the City Planning Commission instruct the Director of Planning to prepare and submit both the supplemental appropriation request and the request for amendment of the Administrative Code to effect the establishment of a revolving fund for the Department of City Planning with a limit of \$800 and that the City Planning Commission urge the Mayor and the Board of supervisors to approve these requests.

The Director then put before the Commission a draft resolution concerning a supplemental request for the following items:

\$5,080	for one permanent 1706 Telephone Operator.
\$9,564	for one temporary 5280 Planner III for Victorian Rehabilitation project.
\$ 634	for telephone changes and recurring changes.
\$ 300	for use of employee cars.
\$1,314	for mandatory fringe benefits.

Commissioner Porter inquired as to who had originally asked for the Planner III for Victorian Rehabilitation. Assistant Director George A. Williams indicated that the Mayor's Office had initially requested this position. Commissioner Porter inquired as to the logic of asking again for the position if it had been cut out by the Mayor's Office. Mr. Jacobs indicated that he had been in conversation with Mr. Tolan of the Mayor's Office and that Mr. Tolan had suggested requesting that position again. Mr. Jacobs indicated that this program would be a meaningful program for the entire city, especially in preparation for the bicentennial year. The program would include an investigation of the need of State Legislation and funding programs, and would provide information to property owners.

Commissioner Fleishhacker moved to accept the resolution, but indicated that the fringe benefit issue should be checked. He further noted that the term Victorian has been misunderstood, recalling the testimony of one witness who had indicated that a Victorian was any building built before 1920.

Commissioner Rueda questioned the advisability of limiting this program only to Victorians. He thought that other architecture should also be included.

Mr. Jacobs explained that the entire issue arose regarding a report that had been done on the Mission, followed by various activities including a ceremony for a building on Dolores Street.

President Newman questioned the inclusion of the Telephone Operator in the supplemental request, noting that this appeared to be a new request. Mr. Jacobs responded that the point of getting a Telephone Operator for the department was to free the secretarial staff for clerical duties, especially in the Zoning Division.

Commissioner Ritchie expressed concern on the items of the Telephone Operator and the Victorian Planner, noting that he was of the opinion that the Department should do everything possible to keep its costs down. He indicated that he was in opposition to this resolution.

President Newman indicated that the Commission approved programs and should provide the staff for those programs; otherwise, they should not approve programs in the first place.

In response to a question from Commissioner Ritchie as to the job description of the Planner III, Mr. Jacobs explained that the job of the Planner III for Victorian Rehabilitation would be to develop an information base, put out a small brochure explaining how Victorians can be rehabilitated in an economical way, develop governmental programs for retaining Victorians, and seek ways for providing housing for low- and moderate-income families, since these houses were generally well suited for large families. He noted that the housing stock in San Francisco is very important and that there are sociological and economical reasons for retaining it.

Commissioner Ritchie noted that there was a sizable list of clubs and organizations who were involved with this type of concern. He also noted that when he calls the Department he does not have trouble getting through. He added that he would rather keep the expenses of the Department down rather than adding to them.

Commissioner Porter felt that it would be advisable to postpone consideration of this particular resolution until the following week.

Commissioner Fleishhacker, who had made the original motion, indicated that he would agree to postponement. He added that he was in sympathy with Commissioner Ritchie's view, but noted that since the program for Victorians had been adopted by the Commission, it did not seem appropriate to deal with efficiencies by refusing to provide the staff for the program. He indicated that the way to solve that problem was not to approve the program in the first place. He added that if one really wanted to cut a sizable amount of money out of the budget, one would make moves to appeal the environmental legislation. He suggested that perhaps the Commission would want to memorialize the Board of Supervisors to urge the State Legislature to cut back on the local responsibilities of the Environmental Legislation.

Commissioner Rueda indicated again that he was interested in seeing the Planner III for Victorian Rehabilitation expanded to include other old buildings.

President Newman then recommended that the resolution be tabled for a week and asked if the Commission was agreeable to this. The Commission expressed approval.

Commissioner Farrell noted that to get this supplemental approved, considering the City's financial situation, would be practically impossible unless the Department could find the funds within its own budget.

Commissioner Fleishhacker asked if anyone was taking him seriously regarding the repeal of the State Environmental Legislation. Commissioner Newman wondered whether the Department would consider writing a report on efficiency.

Commissioner Rueda was in agreement with Commissioner Fleishhacker's suggestion regarding State Environmental Legislation.

Commissioner Porter wondered why the Commission has to spend so much time and money on environmental impact reports, and suggested that the Commission might pass a resolution memorializing the Board of Supervisors to ask for State legislation to exempt San Francisco from the environmental process.

Mr. Jacobs indicated to the Commission that he intended to speak to the issue of environmental legislation in his last speech on October 24, 1974. He advised the Commission to fund the Planner III for Victorian Rehabilitation if they felt that the Victorian rehabilitation project was a good one; if not, they should reject it.

After further discussion, it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously to table for one week the resolution involving the supplemental request.

Commissioner Fleishhacker said that he had read an article recently in a local newspaper regarding architectural review of the Port. Mr. Jacobs indicated that the Department had called the Port to see what this was about, and that the Port would be putting their views on that subject in writing and forwarding it to the Department shortly.

Commissioner Porter observed that the Victorian Village had become quite a controversial item at the recent Landmarks Preservation Advisory Board meeting. She indicated that the people involved in the project had discovered that it was not financially feasible to move the entire buildings from the Western Addition to the Port property, and now they were talking of moving only the facades. She commented that the Landmarks Board had no real authority to deal with this issue.

Mr. Jacobs indicated that the Commission had looked at the proposal as a conditional use and approved it; that if the plans changed, the project would have to be looked at it again.

President Newman informed the Commission that Mrs. John F. Shelley had written a letter to the Commissioners thanking them for their expression of sympathy in adjourning in Mr. Shelley's memory at a recent meeting.

PUBLIC HEARING TO RECEIVE COMMENTS AND SUGGESTIONS TO GUIDE THE DEPARTMENT OF CITY PLANNING IN ITS PREPARATION OF A WORK PROGRAM AND BUDGET PROPOSAL FOR THE NEXT FISCAL YEAR. (1975-76).

Allan B. Jacobs, Director of Planning, stated that the Department was interested in hearing from members of the public on the types of programs they would like to see appear in the budget and work program for the next fiscal year.

President Newman asked if anyone was in the audience who wished to speak to this issue.

Charles Page, President of Heritage, presented the following prepared statement to the Commission:

"As you know, Heritage's concerns are primarily directed toward the conservation of this city's architectural resources. The major thrust of our activities is to promote the retention and recycling of structures, districts and neighborhoods which contribute to the quality of life in San Francisco.

"Your Landmark Preservation Advisory Board is very much a part of this effort. There is general agreement that protection of the city's historic and architectural resources is a benefit to the community, regardless of the sentiments on certain specific issues. The Landmarks Board is the only municipal body charged with this responsibility.

"While some individual property owners may feel that the Board is accomplishing too much, I would suggest that indeed the opposite is true. In the seven years of its existence the Board has designated some seventy landmarks. That is ten designations a year, not exactly a record when you consider the number of buildings in this city which possess significant architectural and aesthetic merit.

"The Board has not been more active because it has been seriously understaffed since its creation. Although it has been recently fortunate enough to have a full-time, unsalaried chairman, it still lacks the staffing to adequately deal with the issues before it in this era of increasing concern for the quality of urban life. At the current level of part-time staff assistance, San Francisco spends approximately .03¢ per capita annually on its landmarks program.

THE NEW YORK HISTORICAL SOCIETY was organized in 1847, and has since that time been engaged in the collection and preservation of the historical records of the city and state. The Society's collection is one of the most complete and valuable in the world, and its library is one of the most extensive and valuable in the country.

The Society's collection is divided into three main departments: the Department of Manuscripts, the Department of Printed Books, and the Department of Maps and Prints. Each department is headed by a member of the Society, and each has its own staff of librarians and assistants.

The Society's collection is open to the public, and its library is open to all who wish to consult its books. The Society also holds regular meetings, and its members are invited to attend these meetings and to participate in its work.

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The Society's collection is divided into three main departments: the Department of Manuscripts, the Department of Printed Books, and the Department of Maps and Prints. Each department is headed by a member of the Society, and each has its own staff of librarians and assistants.

"Other cities, with comparable budget problems, have somehow managed to do better. Compared with our .03¢ annually per capita, New York spends .06¢, Louisville, Kentucky .14¢, Seattle .17¢ and New Orleans 33¢. These comparisons do not take into account the allocation of general revenue sharing monies to landmarks and historic preservation programs in other cities. For example, San Antonio is using \$300,000 of revenue sharing money in the area of historic preservation, Dayton, Ohio \$450,000, New Orleans \$500,000 and Seattle \$725,000.

"San Francisco has more fine architecture than many major American cities, but it is easy to become lolling into complacency with the praise which we have always received. Protecting the character and charm of this city is in the public interest and is a duty of this Commission, just as landmarks and urban conservation are an integral part of the planning process. In this age of resource and energy shortages and increasing costs, the retention and recycling of our existing structures makes economic as well as aesthetic sense. Your Landmarks Board should be the leading force of the City in this area.

"Heritage urges you to give favorable consideration to increased support for the Landmarks Preservation Advisory Board and its programs."

Peter Mendelsohn of TOOR, was concerned about the changing of zoning in the South of Market area. He indicated that the residents there did not object to stores on the bottom of a building and residences above. He thought that the area between 5th and 11th Streets, Market and Townsend, should have a lot of family housing in it. He noted that there were many Filipinos and Blacks in that area and that they were in desperate need of housing. He noted that the zoning should be changed in that area, since the Yerba Buena project was moving along. He was concerned that the existing housing would be changed into parking lots.

Jeanne Lippay, Chairman of the San Francisco Conservation Sub-Committee of the San Francisco Bay Chapter, Sierra Club, presented the following suggestions for guidance of the Department in preparing its work program:

- "1. That it include in its basic administrative policies recognition of the integrity of existing residential neighborhoods and of the need for preserving open space within dense urban areas.
- "2. That it make a real effort to implement those elements of the City's Comprehensive Plan adopted to date by the Planning Commission; i.e., Urban Design, Recreation & Open Space, Natural Resource Conservation, and Transportation.

- "3. That it use qualified and proven architectural planners as consultants to review special plans for new construction and expansion, with the intent of compiling comprehensive architectural guidelines against which all future proposed structures will have to be measured.
- "4. That it commit itself to resisting further pressures to modernize and Manhattanize any quarter of the City, including South of Market, the Embarcadero, and the Civic Center; and support instead the retention of architecturally pleasing structures from the past and their integration with harmoniously designed new structures.
- "5. That it exert more responsibility in applying the criteria required for authorization of conditional uses to medical and educational institutions.
- "6. That it allocate increased staff time to completion of the Comprehensive Residential Zoning Study now in preparation."

President Newman then questioned the idea of the Capital Improvement programming. Mr. Jacobs responded that with strong backing from the City Planning Commission, and a shift of present personnel, priorities could be set, as in line with the charter responsibility of the Department and the Commission. He felt that this was a fertile area. With respect to Revenue Sharing money in urban development, he indicated that much would depend on the backing and forcefulness of the City Planning Commission.

Commissioner Ritchie questioned the responsibilities of the office of Environmental Review and asked Commissioner Fleishhacker if this is what he had been talking about previously with the respect to the request for supplemental funds. Commissioner Fleishhacker responded that the Department did a lot of planning for San Francisco and wondered if that kind of legislation were necessary. He also pointed out that there were some things that were mandated over which the Department had no real control as to whether they did them or not. He inquired as to whether this was the case with the Commerce and Industry Element.

Mr. Jacobs replied that the Commerce and Industry Element was not mandated, but pointed out that the Department and the Commission had been revising the Master Plan. He recalled that there had been a map which called for the southern and eastern part of the city to be the "working" part of the community, and the western area of the city to be the "living" part of the city. He recalled that the updating of the Master Plan had been initiated with an element on housing, followed by the Urban Design Element, the Transportation Element, the Recreation and Open Space Element. In the last year

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and a half, he noted that the Department had been involved with the preparation of State-mandated elements of Safety, Noise, Conservation, and Scenic Highways. Having finished these elements, the Department was back to doing what it had started to do, mainly updating the old Master Plan, and this was the reason for the Commerce and Industry Element of the Master Plan.

Commissioner Fleishhacker said that he was less than enthusiastic about that Commerce and Industry Element but he really wanted to examine what the Department was doing in terms of establishing priorities.

Mr. Jacobs indicated that to some extent the Department has eliminated some projects in years that funding had not adequate or staff had not provided for projects.

Commissioner Fleishhacker said that he felt that the Department was taking care of Peter Mendelsohn's primary concerns by the residential zoning study. Mr. Jacobs added that there was also a South of Market Liaison for that area. He wished that more time could be spent by the liaison in that area. But unfortunately this was impossible.

Commissioner Ritchie felt that South of Market was the "area that God has forgotten." Regarding the study, he felt that a study of the South of Market Area would be a sizable study, and if zoning was impeding that process, the Commission should consider changing that zoning.

Commissioner Ritchie noted that six reports had been done every year, felt that they were very statistical and wondered if there were not other governmental agencies who were already collecting similar types of information. He asked the following questions with respect to the continuing report of Open Space Grant Administration, review of Legislation, Housing Inventory Report, Housing Vacancy Survey, Housing Condition Survey, and Information Systems:

How much time does the report take?

What does it cost the Department to produce these reports?

Who uses this information?

How much is it used?

Commissioner Ritchie wondered whether the information really was gathered by other agencies such as the Housing Authority and the Bureau of Building Inspection. If the reports are not used, he said, may be the Department should not do them.

At this point in the proceedings, President Newman closed the public hearing on the Work Program and Budget for next fiscal year (1975-76).

CONSIDERATION OF POLICY ON INSTITUTIONAL MASTER PLAN.

Allan B. Jacobs, Director of Planning introduced this consideration with the following prepared statement:

"As the Commission will recall, in January and March of this year staff presented to the Commission a memorandum recommending the format, substance and procedures that should be required for Institutional Master Plans. The memorandum calls for early public review by the Planning Commission of Institutional Master Plans, thus extending city-wide a policy already endorsed by the Commission in the area plan for the Haight-Ashbury. As was reported at that time staff sent the recommendations to each major hospital in the City, and sought their comments. Most hospitals responded, and, in general, thought the concepts would be helpful, and indicated their desire to cooperate. However, in March the Commission believed Commission endorsement might be inappropriate at that time as plans for St. Mary's Hospital and Medical Center, which only a short time before had been approved by the Commission were pending on appeal before the Board of Supervisors, and because the Commission wished additional time to study the recommendations. Thus the Commission voted to delay action for 60 days. Subsequently, the St. Mary's case was taken to court, and the City Attorney's Office advised that the Commission should not take any action until after all arguments had been presented to the court. The City Attorney has now advised us that the arguments have been completed, and that action by the Commission would not be all right.

"To our knowledge only two major hospitals are contemplating substantive changes to their Master Plans in the near future. These are Franklin Hospital and St. Francis Hospital. Staff has discussed the proposed Master Plan format and review procedures with both hospitals, and both have indicated their intention to meet these guidelines. Review of the Franklin Hospital Master Plan, which includes addition of an Emergency Heliport, changes in occupancy of previously authorized but unbuilt buildings, and additional off-street parking has been tentatively scheduled for November 21, 1974, and the St. Francis Master Plan which eliminates formerly authorized but unbuilt buildings and adds a medical office building was submitted this week for scheduling before the Commission later this year.

"As we have noted earlier, although the Institutional Master Plan process would apply primarily to major hospitals, most of which ultimately require conditional use authorization, the process would also extend to other institutions which from time to time come before the Planning Commission such as universities, and various semi-public buildings.

"In addition to the comments received from hospitals, we have also received favorable comments from the San Francisco Comprehensive Health Planning Council, The Sierra Club, the Coalition for San Francisco Neighborhoods, and SPUR.

"Mr. Passmore will summarize the recommendations contained in the memorandum.

"Your endorsement of the recommendations would allow effectuation of the recommendations for all future major Institutional Programs that come to the attention of the Commission, and a draft resolution has been prepared for this purpose."

The Director then introduced Robert Passmore, Planner V - Zoning, who summarized the memo entitled "Format, Substance, and Procedures to be Required for Institutional Master Plans" commenting on the following subject headings: Format and Substance of Master Plan, Long Range Development, Short Range Development, Conformity to Neighborhood Plans and the Comprehensive Plan, Neighborhood Impact of Proposed Development, Procedures, and Affected Master Plan Review.

President Newman asked if anyone were in the audience who wished to speak to this issue.

Arden Danekas, President of the Planning Association for the Richmond, representing the Coalition for San Francisco Neighborhoods, presented and summarized the following prepared statement:

"The issue of expansion of educational and medical institutions in San Francisco has generated much controversy in the past few years. Most of these institutions are located in residential neighborhoods, and in many cases institutional expansion conflicts with the residential character of the surrounding areas. The Coalition for San Francisco Neighborhoods is concerned with the deep antagonism generated between the community and the institution during these conflicts, causing a deep and divisive barrier between physical neighbors who should be working together towards a better quality of life in San Francisco.

"The experience of neighborhood organizations represented in the Coalition indicates that much bitterness and antagonism stems from the uncertainty of living near an institution resulting from ignorance of its long-range plans, as well as the neighborhood impact of that institution. Too often development plans of institutions are known to a very few, with a resultant increase in real estate speculation to the detriment of the community. The public is only informed of these plans at a hearing when a conditional use approval is required for an imminent development, and after the institution has a substantial investment in the proposed expansion. This combination of surprise and expectations of the neighborhood and institution respectively gives rise to the serious conflicts described above.

"Members of the Coalition were encouraged by the City Planning staff memorandum of February, 1974, recommending new procedures for institutional master plans, and the first description of what master plans should contain. However, we are not encouraged by the fact that it has not been acted upon for six months, and that only 'guidelines' are being proposed. Too often neighborhoods have seen the most well-intentioned guidelines of the City Planning Commission disappear under

the intense pressure for approval of an immediate project. Therefore, the Coalition for San Francisco Neighborhoods is proposing an ordinance for the City Planning Code which incorporates the recommendations of the Director of Planning for the format, substance, and procedures to be required for institutional master plans. The proposed ordinance is attached to this letter.

"The incorporation of this ordinance in the City Planning Code would provide a legal basis for the institutional master plan, and thereby alleviate much of the uncertainty regarding future institutional expansion. The neighborhood would have the opportunity to input at an early stage of proposed development; the institution might have an early measure of public and neighborhood sentiment to proposed expansion prior to a heavy investment in that expansion; and the Commission could perform a true planning function, rather than just react to specific ideas. Such a process would undoubtedly mark a substantial improvement in neighborhood-institutional relations, to the benefit of all San Franciscans.

"The Coalition for San Francisco Neighborhoods suggests that the City Planning Commission adopt the institutional master plan guidelines as proposed by the Director of Planning as an interim measure, until the Commission can hold public hearings on the proposed ordinance, and the Commission recommendation of its enactment to the Board of Supervisors. The Coalition urges the eventual passage by the City Planning Commission and the Board of Supervisors of this proposed ordinance as an amendment to the City Planning Code."

Mr. Danekas also introduced a proposed amendment of the City Planning Code relating to institutional expansion:

"Sec. 312 - Institutional Master Plans

"Every institution of higher learning and medical institution located in the City and County of San Francisco shall have on file with the City Planning Commission an institutional master plan describing anticipated future proposed development of that institution. This institutional master plan shall be updated by the responsible institution every two years, or earlier, if there are substantial revisions in the interim, and those revisions shall be filed with the City Planning Commission.

"Each institutional master plan shall, at a minimum, contain textual and graphic descriptions of:

"a. The present physical plant of the institution, including the location and bulk of buildings, land uses and ownership of surrounding areas, traffic circulation patterns, and parking in and around the institution.

"b. The long-range development plans of the institution, and the physical changes in the institution required to achieve those plans.

"c. Any plans for physical expansion within the next five years, including:

"1. the site area, ground coverage, building bulk, floor area by function, off-street parking, circulation patterns, areas for land acquisition, and timing for the proposed construction.

"2. the relationship of the proposed development to the neighborhood plans for the affected area, if any, and to the Comprehensive Plan of the City and County of San Francisco.

"3. the anticipated impact of the proposed development on the surrounding neighborhood, including but not limited to the effect on existing housing units, relocation of housing occupants and commercial tenants, and changes in traffic levels and circulation patterns, transit demand, and parking availability.

"4. a description of alternatives to the proposed development, which might avoid or lessen the impact upon the surrounding neighborhood, including location and configuration alternatives.

"d. Any other items as required by the City Planning Commission.

"Upon receipt of an institutional master plan, or revisions to that plan, the City Planning Commission shall hold a public hearing on that institutional master plan, or its revisions, no earlier than 30 days nor after 90 days from the date of filing of the master plan, or its revisions. Public testimony, as represented in the official minutes of the City Planning Commission or written correspondence to the City Planning Commission, on the content of the institutional master plans, or revisions thereto, shall become a part of the institutional master plan file at the City Planning Commission. The public hearing conducted by the City Planning Commission shall be for receipt of public testimony only, and shall in no way constitute an approval or disapproval of the institutional master plan or any facility described therein by the City Planning Commission. Notice for hearing described in this section will be given as in the same manner as provided for hearings on conditional use applications.

"No conditional use permit for any development shall be granted to any institution of higher learning, or medical institution, unless such

development shall have been described in a master plan or revision filed by the applying institution at least six months prior to the filing of the conditional use application.

"Within three months of the effective date of this ordinance, all medical institutions and institutions of higher learning shall file institutional master plans as prescribed in Section 312 with the City Planning Commission."

Mr. Danekas noted that there had been much controversy in his area over the expansion of Children's Hospital, but that every area of the city would be involved in this proposal. He felt that the guidelines in the memorandum were good but that they should have more teeth since too often it is too late by the time the community knows of expansion plans of various institutions. He indicated that the Coalition would be thrilled to have the guidelines in the memorandum adopted, but that an additional action of adopting the ordinance would be appropriate also.

Commissioner Porter indicated that she had not seen the ordinance but that she felt the memorandum would provide the neighborhoods an opportunity to discuss proposed expansion of institutions.

Douglas Engmann of the Stanyan Fulton Street Association, said that he had heard rumors on proposed revisions of institutions and felt that there needed to be a public statement from an institution on its expansion plan; failing that, a statement from an institution that it would not expand should be required. He felt that one reason for the ordinance which had been submitted by the Coalition of San Francisco Neighborhoods was that there was doubt in the neighborhood mind as to the status of the Memorandum of Understanding. His neighborhood had been upset over the Saint Mary's expansion and he wanted to avoid this situation in the future. He also urged that the guidelines suggested in the Memorandum of Understanding be adopted that day.

Calvin Welch, Corresponding Secretary of the Haight Ashbury Neighborhood Council, presented and read the following letter:

"The Board of the Council supports the proposed amendment to the City Planning Code relating to institutional master plans.

"The Board feels that the proposed Planning Code amendment would be a solid step forward in meeting the objectives outlined by the Director of City Planning in his memorandum of February 1974 on the subject of required institutional master plans.

"The Planning Code should be amended to require institutions to file and update master plans on a regular basis and to allow public testimony on those plans. Such an amendment would result in a more orderly and complete planning process for institutions. The Council

has been closely involved in institution/community planning in the last three years and has found that a current, complete and total disclosure of the plans of institutions is difficult to get.

"As your own department has found, and as at least one of the institutions in our community has admitted, the lack of a clear, well-known and fully described master plan creates an air of uncertainty to surround the institutions and this air of uncertainty leads to poor property maintenance, real estate speculation and absentee ownership in residential areas adjacent to the institutions.

"This lack of master planning on the part of institutions, especially those in the midst of residential communities, actually causes physical deterioration and social blight to occur in surrounding areas. Therefore, something much stronger than a departmental memorandum is needed to check this problem. The proposed Planning Code amendment is that needed 'something stronger'.

"The Council urges you to accept the draft amendment and refer it to the Board of Supervisors in the shortest possible time."

Mr. Welch felt that the Memorandum of Understanding needed some stiffening. For three years the community groups had dealt with the institutional expansion plans for University of California, but did that by working with the State Legislature. He noted that the University was finally committed to doing a Master Plan in 1975 and that this was a great step forward. He thought that it would be good to deal with institutions over which the Commission does have some control.

Commissioner Porter said that when a hospital or an eleemosynary institution is in a commercial area, she thought that the Commission had no jurisdiction over it since it was a permitted use. Mr. Jacobs observed that the area of St. Francis Hospital was an R-5 and R-5-C zone and would require a Conditional Use. Mr. Jacobs indicated that institutions which are in totally commercial areas are permitted uses. He added that the most pressing issues arose concerning institutions which were in residential areas. He felt that the groups were talking about getting the process of Institutional Master Plans in ordinance form and that the Department had received a letter indicating a similar notion from Supervisor Kopp. He noted that the Department was working on the Residential Zoning Study which would be before the Commission during the following year. He felt that the problem of timing was crucial, but that the proposed ordinance might not necessarily relate to the hospitals that were being discussed at this point. He indicated that the guidelines would be effective subsequent to the adoption of the resolution.

Commissioner Fleishhacker said that he was worried about one point involving the review of master plans. He remembered the confusion with respect to the issue of St. Mary's and wondered whether a master plan review constituted approval for construction.

In response, Robert Passmore, Planner V - Zoning, quoted the following paragraph from the memo: "Master Plan review does not constitute endorsement of development proposals contained in the plan nor permission for any work not already granted conditional use authorization by the Commission. The purpose of the review is to raise concerns of the City Planning Commission, City Planning staff and the general public at an early stage when the institution may be in the best position to respond to them."

Mr. Passmore felt that this statement made it clear that the proposed master plan review procedure did not include approval of a project.

Peter Mendelsohn indicated from the audience that institutions were getting too big. He noted that a similar situation happened to San Francisco General Hospital when they expanded and then did not have enough personnel to staff the hospital. He felt that this situation could be solved by creating satellite clinics. People would then go to the hospital only for major operations. He felt that all hospitals should have satellite clinics and that the ordinance should limit the size of a hospital. He felt the health care program was not doing justice to the people.

Commissioner Ritchie inquired as to whether he was correct in assuming that the action endorsing the memo regarding institutional master plans would not have an effect on St. Mary's project. Mr. Jacobs responded that it would not have an effect on St. Mary's.

President Newman felt that it was in order to adopt the resolution endorsing the memorandum entitled "Format, Substance, and Procedures to be Required for Institutional Master Plans."

Commissioner Porter asked whether this procedure was not already being followed. Mr. Jacobs responded that a formal procedure for master plan review not now available to institutions and the public was outlined in the memorandum and therefore it was appropriate to adopt it.

After further discussion it was moved by Commissioner Fleishhacker and seconded by Commissioner Rueda that the resolution be adopted. Commissioner Ritchie said that he was in favor of adopting the resolution only if the minutes showed that his voting on this resolution would not affect St. Mary's plan. Commissioner Porter joined Commissioner Ritchie in this request.

After further discussion, it was unanimously carried to adopt the resolution endorsing the Memorandum of Understanding on Institutional Master Plans and authorizing the Director of Planning and the Zoning Administrator to take reasonable steps to implement the guidelines set forth in the memorandum.

At this point in the proceedings President Newman adjourned the meeting to Room 282, City Hall.

3:00 P.M. - ROOM 282, CITY HALL

President Newman called the meeting to order to hear the 3:00 p.m. calendar. At this point in the proceedings Commissioner Ritchie and Commissioner Miller had not entered the Commission Room.

EE73.176 - PUBLIC HEARING ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR MUNI METRO CENTER IN THE VICINITY OF OCEAN, SAN JOSE AND GENEVA AVENUES.

Allan B. Jacobs, Director of Planning, introduced Dr. Selina Bendix, Environmental Review Officer, who summarized the draft of the Environmental Impact Report on the Muni Metro Center as follows:

This facility would consist of a storage yard and service facility for new subway/surface cars on a site bounded by Ocean Avenue, San Jose Avenue, Geneva Avenue and the Balboa Park BART station. It would replace the Geneva Car barn and Elkton Shop and would use the site of the Elkton Shop and the present Ocean Division coachyard and garage. The project includes heavy maintenance and repair shops, track storage for 110 cars, and employee off street parking. Potential adverse impacts would be temporary construction noise and vibration, increased rail car traffic on bordering streets because of extension of service to Balboa Park Station, and site associated noise. Mitigating aspects would include reduced competition for parking on adjacent streets because of the relocation of a portion of the work force, landscaping which would improve appearance, relocation of rails from the center of San Jose Avenue to a private right-of-way, measures to limit construction impacts and design energy conservation measures. Alternative sites were evaluated on the basis of land acquisition costs, construction costs, operating costs, coordination with the existing system, and other neighborhood impacts. This site was determined to be the best of several studied from an economic and environmental point of view. Alternatives to the project, such as reduced rail storage capacity with another site for cars later, undergrounding of everything, maintenance facility on top of the rail facility, two facilities for two functions, and site layout alternatives were all determined infeasible because of cost or other reasons. The alternative of no project would mean that there would be no place to put \$400 million worth of new Muni cars.

She indicated that the department had recently received a letter from the Oceanview Merced Ingleside Organization and recommended that that letter be included in the final report.

President Newman asked whether anyone was in the audience who wished to speak to the issue of the completeness of the Environmental Impact Report.

Mrs. Anne Melville, a resident of Niagara Avenue below San Jose, said that she had attended a block meeting the previous night and that concern had been expressed at that meeting regarding parking. She noted that the report covered that issue to some extent. She also wanted to know what would be done with the old Car barn. She felt that if it was going to be used it should be rehabilitated.

Mr. Turner, of Oneida and San Jose Avenues, indicated that there was a manhole cover at this corner which was broken. Children playing there might be harmed and he felt the City should repair it or put some barrier around it so it would not be a hazard.

President Newman then asked Dr. Bendix to respond to the issues which had been raised by the members of the audience.

Dr. Bendix indicated that the project provided for a 127 on-site parking spaces and that the project was located near a BART station; it was hoped that people would be encouraged to use BART.

Dr. Bendix pointed out that the carbarn site was not a subject for this Environmental Impact Report, and if a proposal was forthcoming on that site, it would require an Environmental Impact Report.

Bill Dorais, of the Municipal Railway, indicated that he had not been aware of the manhole cover problem and had just written a little memo to himself to report it to the maintenance group of the Muni. He said that no decision had been made with respect to the future use of the Muni Carbarn. He felt that in the foreseeable future the Municipal Railway would use it for training purposes and other purposes, and that when a decision was made as to the use of the carbarn, there would be another hearing at which members of the public could make their views known.

President Newman asked the Director for his recommendation on this Environmental Impact Report. Allan B. Jacobs, Director of Planning, recommended that the Environmental Impact Report be found as adequate, accurate, and objective and that it be certified as complete.

At this point in the proceedings Commissioner Ritchie and Commissioner Miller entered the Commission Room and assumed their seats at the table.

Commissioner Fleishhacker moved adoption of the draft resolution, then asked Mr. Dorais how much this report had cost. Mr. Dorais responded that the original report had been written by EDAW Inc., and had been part of a \$20,000 sub-contract. He added that a great deal of work had been done in-house.

Jerry Cauthen, also of the Municipal Railway, said that the cost of the EIR was closer to \$20,000, but the exact cost could be gotten for the Commission shortly.

Commissioner Fleishhacker indicated that the cost should also include the man hours spent by the Municipal Railway and the Department of City Planning. President Newman asked if Mr. Dorais would provide the Commission with a memorandum of the actual cost of the Environmental Impact Report. Mr. Dorais responded in the affirmative.

It was subsequently seconded by Commissioner Porter and unanimously carried that Resolution No. 7252 be adopted finding the final Environmental Impact Report of the Muni Metro Center as adequate, accurate and objective and certifying the completion of said report in compliance with the California Environmental Quality Act and State Guidelines.

R74.28 - VACATION OF PORTIONS OF MERRIE WAY AND 48TH AVENUE IN THE GOLDEN GATE NATIONAL RECREATION AREA.

Allan B. Jacobs, Director of Planning, announced that this item would be withdrawn temporarily from the calendar.

R74.32A - LEE AVENUE EXTENSION

Allan B. Jacobs, Director of Planning, introduced Richard Gamble, Planner IV, who reported on this referral as follows:

"This matter was carried over from the Planning Commission's meeting of September 19. The proposal to extend Lee Avenue northward across Ocean and easterly to Phelan was coupled with consideration of widening Ocean Avenue between Phelan and Interstate 280 to accommodate Muni loading platforms and a pedestrian overpass to San Francisco City College. At that time the staff felt that approval of the extension was premature; other solutions appeared worthy of consideration and conflicts with Municipal Railway operations were unresolved.

"Since then we have explored the various alternates and found that none of them would adequately solve the problem of the heavy campus-bound left turn movement on Ocean Avenue. The Lee Avenue extension appears to achieve these traffic needs best; however, several modifications are suggested as conditions for approval.

"The left turn from Ocean Avenue into Lee should not result in cars blocking the Muni tracks. The street should be striped such that left-turning cars stack up to the right of the tracks, giving preferential treatment to Muni as specified in the Plan for Transportation. Because of continued use of the turnaround for several more years, the tracks should be retained in the new street. Furthermore, the use of this street should not commence until after the K line streetcars are using the new loading platform on Ocean, although its construction could perhaps proceed earlier if Muni service is not disrupted. The road should be of minimal width and considered as an access ramp rather than as a City street. A 16-ft. width is suggested in lieu of the 20-1/2 ft. proposed."

Dick Evans, representing the Department of Public Works, requested of the Commission an 18-foot width on Lee Avenue rather than the proposed 16-foot width. He indicated that buses would be using this section of the road and if buses were disabled, cars would have difficulties getting around them if the width were only 16 feet.

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Mr. Jacobs indicated that he had no problem with recommending 18 feet.

President Newman asked if anyone were present in the audience who wished to speak to this issue. No one was.

Commissioner Farrell asked if the Municipal Railway had been contacted with respect to this proposal and whether they agreed with it. Mr. Evans responded in the affirmative.

At the request of President Newman, Mr. Jacobs recommended that the extension of Lee Avenue was in conformity with the Master Plan, and that he was in agreement to the road having a width of 18 feet rather than 16 feet.

Subsequently it was moved by Commissioner Porter, seconded by Commissioner Miller, and unanimously carried that the extension of Lee Avenue northeasterly to Phelan Avenue, as shown on Bureau of Engineering drawing STR-5152 was in conformity with the Master Plan provided that (a) the road width be reduced to 18 feet, (b) the turnaround tracks be retained in usable condition, and (c) the left turn storage to Ocean Avenue be shifted to the south so that the tracks remain clear.

LM74.11 - CONSIDERATION OF PROPOSAL TO DESIGNATE ONE OF THE TANFORAN COTTAGES, 220 DOLORES STREET, AS A LANDMARK. (UNDER ADVISEMENT FROM MEETING OF OCTOBER 3, 1974).

Allan B. Jacobs, Director of Planning, noted that this had been held over from the previous week's meeting; he pointed out that the background information had been presented at that meeting and that it had been the recommendation of the Department that it be designated as a landmark. He observed that the building next to it had been designated a landmark at the previous week's meeting. He pointed out that the issue before the Commission was whether this building was also a landmark, adding that the combination of the two cottages enhanced the landmarks status.

President Newman asked the owner of the property whether she understood what the designation of a landmark meant for her building, indicating that it did not mean that it was forever indestructible.

Anne Dvornikoff, owner of the cottage at 220 Dolores, said that she felt the landmarks designation was not right, it was silly, and it was a joke.

President Newman asked whether she felt her house was a landmark; she responded in the negative.

Commissioner Fleishhacker asked her whether she did not believe that the landmark status might actually increase the value of her property.

Mrs. Dvornikoff answered that she hoped anyone who would buy the property would pay the market price, but she felt that a landmark designation would affect the timing of the sale.

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Mrs. G. Bland Platt, President of the Landmarks Preservation Advisory Board, observed that the Landmarks Board did feel that the cottage was a landmark and that the pair of cottages was important. She pointed out that these two cottages represented the two oldest extant buildings in the Mission district. She recalled that she had had a talk with Mrs. Dvornikoff and at that point felt that Mrs. Dvornikoff was in accord with the designation, and had been understanding of the explanation of the possible increase of value due to the landmark designation.

Commissioner Rueda asked Mrs. Platt if the Landmarks Board would have designated that house a landmark if it were by itself. Mrs. Platt responded in the affirmative, but indicated that it was more important since the two were together.

Commissioner Farrell asked if the cottage would be designated as a landmark if there had been twelve identical cottages of this sort in a row. Mrs. Platt responded in the affirmative, indicating that in that case they might have requested a mini historic district of the type which would probably be coming before the Commission in the near future.

President Newman asked if anyone else were present in the audience who wished to speak to this issue.

David Graham, who had done research on this building, stated that there were not many buildings in the Mission that dated back to this age and that the cottages as a pair was important. He indicated that the Tanforans had lived in the cottage at 220 Dolores and, if this building were not designated, it was somewhat ludicrous to have designated the other one.

Commissioner Porter noted that the age of the property was one of the reasons for making it a landmark. She cited the example of a case in New York where an old mechanics building from 1790 was declared of a landmark because it represented the history of the area. She felt that there was an advantage to the owner in that the designation would not hurt the owner economically and would probably enhance the financial return of the building.

Subsequently, it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and unanimously carried that Resolution No. 7253 be adopted designating the Tanforan Cottage at 220 Dolores Street as a landmark.

At this point in the proceedings, 4:05 P.M., President Newman adjourned to Executive Session to discuss personnel matters concerning a new Director of Planning.

EXECUTIVE SESSION - PERSONNEL MATTERS

When the Commission came out of Executive Session, it was reported that it had been moved by Commissioner Porter, seconded by Commissioner Fleishhacker and unanimously carried to adopt Resolution No. 7254 requesting a transfer of

funds in the amount of \$1,000 from the printing budget to a fund to be used in the search for a new Director of Planning.

The Commission adjourned at 4:40 p.m.

Respectfully submitted,

Marie Zeller
Acting Secretary

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CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 24, 1974.

The City Planning Commission met pursuant to notice on Thursday, October 24, 1974, at 2:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; John C. Farrell, Thomas Mellon, Mrs. Charles B. Porter, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Commissioners Mortimer Fleishhacker and John Ritchie.

The staff of the Department of City Planning was represented by Allan B. Jacobs, Director of Planning; Edward I. Murphy, Assistant Director; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; John Mackie, Planner II; Marcy Lifton, Planner I; Barbara Barck, Assistant Acting Secretary; and Marie Zeller, Acting Secretary.

The San Francisco Chronicle was represented by Larry Liebert; the San Francisco Examiner was represented by Donald Canter; and the San Francisco Progress was represented by Dan Borsuk.

APPROVAL OF MINUTES

It was moved by Commissioner Rueda, seconded by Commissioner Porter and unanimously carried that the minutes of the Regular Meeting of September 19, 1974, be approved as submitted.

CURRENT MATTERS

Allan B. Jacobs, Director of Planning, announced that the Budget Committee of Commissioners Porter, Farrell and Rueda, will be held Tuesday, October 29, at 4:00 p.m.

Allan B. Jacobs, Director of Planning, made the following remarks upon leaving the Department:

"There is a temptation at my last Commission meeting to dwell on some of our past accomplishments and achievements and to regret our few failures, concluding that they were probably not our fault anyway. I suspect there is not much to be gained by succumbing to that temptation. I, and we, did well or poorly and calling attention to our accomplishments at this point in time will not change or honor them.

"Similarly, there is a desire to say kind and heartfelt words of thanks to and about the Commissioners and the staff of the Department. I won't do that either. I think we know how well we think of each other and fond words of farewell seem redundant.

"What I would like to do is to share with you and perhaps the people of San Francisco what I consider to be some of the major challenges ahead--challenges to San Francisco city planning in particular and to our local government in general. Let me start with one or two issues that are of a departmental nature, and then move on to some of the planning challenges and challenges to the city as a whole.

"1. The Department -- Salaries and Civil Service

"At the heart of city planning in San Francisco is the quality of the staff of the Department. The best leadership in the world is worthless without a quality staff.

"The salaries of the professionals in this Department (including the salaries of our draftsmen) are now so low in relation to salaries for planners being offered elsewhere and in relation to other salaries in City Hall that we are beginning to lose top quality staff and may well fail to attract the best young people to take their places. All of the lip service in the world regarding a desire or mandate for top quality planning in San Francisco will be just that without salaries that will attract and maintain quality people. The last salary standardization fiasco was an open invitation for planners to look elsewhere for employment.

"Nor are salaries alone the issue. The Civil Service system as it relates to hiring, testing and advancement opportunities for city planners is a source of frustration beyond belief. There is minimum flexibility and one is forced to a constant fighting of the system to attract or keep good people for specific jobs. The 'rule of one' is only symbolic of the rigidity.

"There are many indications that the present Civil Service staff share my concerns on the matter and we should have no argument with them; they are often just as hamstrung as are we. The challenge, to the Department, is to increase salaries drastically and to permit the Director to have some flexibility in hiring and advancement of staff.

"2. Challenges to the Height and Bulk Ordinance

"You may soon see applications for changing the Height and Bulk Ordinance--in an upward direction.

"These proposed changes will probably come first in the downtown area or on the fringes of downtown. They will come from developers and architects. The given reasons will probably be economics (from people who spent too much for their sites in the first place) or design (from architects who seem to look at any control as a challenge of design--to see if they can figure out the one architectural solution that proves why the control should be broken).

"For the most part these challenges will be by interests concerned only with their particular site, not with the city as a whole. The fact is that good design is happening within the existing height and bulk controls.

There is and will be no good reason to change them. Rather, it will be necessary to bring some excessive permitted floor area ratios and density standards into line with the height and bulk controls. The challenge will be to withstand the pressures for unnecessary change.

"3. Environmental Quality -- Environmental Impact Reports

"Most Commissioners have little patience with the process and cost of environmental impact reports. I once shared that feeling, concluding as do most of you that we already take most relevant environmental considerations into our planning and, where possible, embody them in our legislation.

"I am becoming more and more convinced that if handled properly the environmental review process can and will become exceedingly important to city planning in general and to the development of environmental standards in particular. The environmental review process is forcing us to take up the challenge of being specific about environmental concerns. It is forcing us to measure the impacts of development. Once we have done this as part of the environmental review process we can have a sound basis for embodying newfound knowledge into planning and into legislation. We have a chance and a challenge to do what we have not done well before, to begin to measure and quantify environmental quality.

"I hope that the Commission will understand the potential of the environmental review process, will be patient, and will give that process a chance to provide most meaningful new planning tools.

"4. Public Facilities Planning and Development

"For reasons I will never fully understand, we have not been able to get together with the staff of the Board of Education to prepare a Master Plan for school facilities.

"The challenge of comprehensive health facilities planning, both public and private, is a challenge that remains unanswered. Increasingly, these facilities cause problems in neighborhoods and the facilities themselves seem to change their programs with every change of funding out of Washington. Other neighborhoods or districts, in need of facilities, do not have them.

"Despite their protestations to the contrary, the Library and Performing Arts advocates seem to be fighting for constituents over what is fundamentally a phony issue--who will get to use Marshall Square? It is a phony issue because it is doubtful that either will ever be built.

"The challenge is for an adequate plan for all public facilities in the city, including an effectuation plan and a plan that deals with maintaining those facilities that already exist.

"5. Capital Improvement Programs and Fiscal Analysis

"Capital improvement programming has never become the tool that it should be for the planning and programming of physical improvements and changes to carry out the Master Plan. It has not been used, even academically, to set or reflect logical priorities for improvements throughout

the city. There are any number of reasons for this failure. The present process is too inclusive in that it contains items such as funds for the maintenance and repair of buildings that should be in the operating budgets of the various departments rather than in a capital improvement program. The process is too easily subverted by special appropriations and expenditures that commit the City to funding programs without considering their relation to citywide needs or priorities. The Redevelopment Program during the 1960's and the Transit Improvement Program of the 1970's are examples. There is a problem with the organization and location of the capital improvement program process within our government. At present it cannot be responsive to either the Master Plan or the people of San Francisco. This Commission, for example, has only advisory powers in this regard. Finally, very little money has been allocated for capital improvements in past years.

"As the Master Plan has become updated there is more and more reason to have a viable capital improvement program process to help carry it out. Further, revenue sharing brings a new challenge as to how to best spend our dollars to achieve community goals. Community development funds should work through the capital improvement process and it is this Department and this Commission that should and can play a central role in determining how these monies should be spent. Further, there is a very real danger that community development funds, via revenue sharing, will find their way into the operating budgets of the departments. That is what happened with general revenue sharing funds last year, despite the warnings of this Department.

"Complementary to the budget process is an understanding and evaluation of where the City spends its dollars. I doubt if anyone knows in an overall sense how and where San Francisco spends its funds or what priorities are reflected by those expenditures. It would take some courage to undertake such an evaluation.

"6. The Neighborhoods -- Housing Preservation and Rehabilitation

"Our Plan for Residence has as its first objective the maintenance and improvement of the quality and diversity of San Francisco's residential communities. Achieving that objective is a challenge of the first order. Preserving and rehabilitating our existing housing (and with it our neighborhoods) is not easy. It is not dramatic, like redevelopment. Often, it seems to run counter to market forces and it may seem unrealistic.

"The Federally Assisted Code Enforcement program and the newly developed Rehabilitation Assistance Program have been, along with standard code enforcement, programs primarily directed to housing preservation and rehabilitation. To some extent we have also used zoning to try to preserve housing. As significant as we might like to think our efforts have been, they have been small as compared to the need. The challenge will be to expand existing housing preservation and rehabilitation programs and to devise new programs directed to this end. A major share of community development funds through revenue sharing should be channeled to preservation and rehabilitation, not to new redevelopment projects along the waterfront or in the so-called Eastshore Park.

"The housing programs developed by this Department provide a meaningful guide to housing preservation if we want to take the problem seriously.

"7. The Neighborhoods -- Protected Residential Areas

"The Urban Design Plan and the Transportation Plan identified excessive traffic as a major environmental problem in neighborhoods throughout San Francisco. The concept of Protected Residential Areas to deal with this problem is widely accepted and desired--by neighborhood residents, by this Commission, by the Board of Supervisors, by just about everyone. It is a concept and a program that need not be forced on anyone. It should be used where the people want it.

"Progress is agonizingly slow even where funding exists.

"The problem and the challenge is with the 'bureaucracy'. Despite widespread public support, policy by the Board of Supervisors, and even some funding, one operating department, if it is unsympathetic to the problem or the solution (even though it professes support), can drag its heels till hell freezes over and public policy can be delayed or thwarted. I believe this to be the case with Protected Residential Areas and with the Transit Preferential Streets program.

"8. Minority and Low- and Moderate-Income Housing

"The late 1960's and early 1970's saw the beginnings of major national and local efforts to provide adequate housing for people of low and moderate incomes, especially for minorities. As Federal funds for these programs have been withheld or eliminated and as the funding of any kind of housing construction has become more difficult, the provision of housing for these people has come to a virtual standstill. Indeed, it may well be that more low- and moderate-income housing is being taken out of the market than is going in. The most recent attempts to evict tenants of the International Hotel is a small example of what I mean. To some extent it may be said that the local commitment has been left stranded by a Federal copout. This is not altogether true. Even when funding for low- and moderate-income housing did exist we were less than diligent in demanding an equitable distribution of such housing throughout the city as called for in the Master Plan. Rather, we have tended to impact new areas such as the Western Addition, South Bayshore and South of Market with subsidized housing, closing our eyes to the known consequences of such large-scale segregation. This has been the easy way out for the City. Moreover, we have not used our few surplus public properties, when opportunity has presented itself, to achieve public policy as called for in the Master Plan.

"The challenge will be to renew our commitment to decent, safe and sanitary housing for all residents, to help re-establish and fund housing programs for low- and moderate-income families, and to locate such housing equitably throughout San Francisco, not just where no one else might want to live.

"9. Local Self-Determination

"Increasingly, State, regional and sub-regional governmental agencies are being given powers related to the planning and regulation of the use of land. In the not-too-distant future, Federal land use legislation can be expected, and with it, or even before it, there will be new State legislation in the land use field. To the extent that such planning and regulation preempts local planning activities and responsibilities, it also preempts self-determination by local government.

"To be sure, some regional, State, and even Federal controls and standards related to planning and land use are desirable and necessary. Some land use and environmental considerations can be handled only at these levels. The new State and regional activities are often the result of citizen initiatives (while the same citizens may be pressing for more neighborhood control). Bona fide planning and land use regulations at the non-local level should be advocated and supported. But where such activities infringe on fundamentally local responsibilities or where they really amount to local planning under a different name, they should be vigorously opposed. If citizens are unsatisfied with the quality of their planning at home, they should not be fooled into thinking that a State or Federal agency will do it better. The challenge is to make local planning (and local government) work, and to look very cautiously at State and regional planning and land use legislation.

"10. The Trend Toward Centralization

"By far the greatest challenge to the City and to the city planning function within it is, in my opinion, a rapidly growing centralization of activities, responsibilities and power within San Francisco's governmental structure. It is a challenge already with us.

"San Franciscans decided long ago that they did not want to give any of their public officials, elected or appointed, very much power. Rather, they wanted a government that was decentralized, with plenty of checks and balances. They recently turned down, by a large majority, a charter revision proposal that would have streamlined the organization and operations of government, placing more responsibility and authority in the Office of the Mayor.

"Authorities on local government are usually amazed at our Charter and governmental organization with its inefficiencies, duplications, absence of designated authority and power, seeming mistrust of all public officials, and incredible detail. It is cumbersome and probably wasteful. But the function of government is not efficiency or profit. It is to provide for the democratically determined needs of existing and future citizens. San Francisco's form of government has provided its citizens with a great deal of opportunity to participate in determining their futures. Indeed, there is more citizen participation built into San Francisco's governmental process than any city I know. One person can make his or her voice heard. Moreover, people should and do have more than one place to go within this government

with complaints or with demands, even if this implies inefficiency. Perhaps one of the reasons that San Francisco remains a viable city, unlike so many others, is the cumbersome nature of its government. No one or two people or agencies have had the power to give the place away.

"The challenge to this form of government originates not so much from within San Francisco but from the Federal government. Having invented the phrase 'maximum citizen participation' and built it into law, they were aghast, in the late 1960's, when people took them seriously and began knocking at their doors in Washington. Citizen complaints, they felt, should be handled at home, by local public officials, preferably by a strong, responsible chief executive--someone who could be held accountable. At the same time, the Federal establishment observed the so-called glaring inefficiencies of local government, ignoring their own, and have demanded that we be businesslike and have clear lines of authority. Too, they got tired of dealing with so many local agencies, forgetting how many Federal agencies we have to deal with, and have demanded to work with a central local responsible person or agency. It may be observed that these concerns manifested themselves in the late 1960's and early 1970's, at the same time when more and more activities at the Federal level were being centralized in the Office of the President and when more and more power was being exercised by that office.

"At the local level the Federal government has insisted, increasingly, upon dealing with a central responsible official or office and the fact that San Francisco's government is not set up this way has meant little to them. There are, of course, those within local government who share that view or philosophy of government (it is an honest difference) and, for whatever reason, have been prepared to take advantage of the Federal interest. In any case, the City has applied for and accepted Federal funds (without local matching cash) to establish, in the chief executive's office, new positions geared to achieving the desired efficiencies, coordination and direction, and with it, I fear, a centralization of power that could drastically change San Francisco's government. In saying this, I am not charging or implying any local conspiracy or plot. I don't believe that is so. But there is always the stated or unstated Federal threat that if you don't do things their way, you won't get their money for much-needed programs. The pragmatists always want the money. Further, it would be difficult for any mayor to refuse so called 'free' funds for new positions when they are offered and, of course, the Board of Supervisors rarely looks closely at applications for Federal funds when they do not require local matching monies.

"The problems with all of this, aside from the fact that the people haven't voted to change their form of government, can be seen as well as anticipated. Related to the planning function, we already have the makings of a duplicate city planning office under the formal responsibility of the Deputy for Development. It is not hard to guess which planning office will come out first in the case of a conflict. Federal funds that recently went wholly to this Department, if we applied, are now shared with the Office of Community Development. Nor are we any longer free to apply directly for

those funds. It may be anticipated that the balance of power that has existed between the Office of the Mayor, the Board of Supervisors, the Chief Administrative Officer, and the various City departments will probably change. The mere fact of new staff in one branch of government while the staffs of other branches, such as the Board of Supervisors, remain static can bring this about. This may be especially so if the new staff is one that deals directly with major money sources. Finally, it is to be hoped that we have seen and learned, from recent examples at the Federal level and so many examples at the local level, just what centralization of power can bring.

"The challenge of centralization within San Francisco's government is not so much a challenge to this Planning Commission. Rather, it is a challenge to the people of San Francisco and to the Board of Supervisors and Mayor--a challenge to be aware of what takes place and to consciously approve or disapprove of changes to the fundamental structure of local government.

"Conclusion

"I have been San Francisco's Director of City Planning for about seven and one-half years. If, in some small way, I have been good for San Francisco, and I believe I have, then it is also true that San Francisco has been good to me. It has provided me with the opportunity to do meaningful city planning in a community that is both demanding and responsive. I have had a chance to say what I have wanted to say on planning matters to a receptive forum. Had I said some of the things in another city I would probably have lost my position forthwith. There has been the opportunity to prepare and begin to carry out an Urban Design Plan, an idea that had been with me from my earliest days as a planning student. I have been fortunate to work with some staff members who rank as the best people in their field. Finally, I have been given a chance to develop as a professional and as an individual.

"If I have a vision for a future San Francisco it is not a vision of a highly efficient, new, gleaming, utopian city. I would ask for no architectonic solutions to what the city should be. Save us from huge development projects of any sort. Rather, my vision is of a city made up of many small buildings on hillsides, a city of about 700,000 to 750,000 people of all kinds, a city of many, many unique neighborhoods that people identify with. Hopefully, San Francisco will be a city where physical change takes place, but where it takes place slowly and considerately, enhancing rather than detracting from the quality of the environment. In other words, it is a city not too unlike the city we now have. Interestingly enough, that seems to be what staff is hearing in the neighborhoods as they start the residential zoning study and it is what you have been hearing from people in public hearing after public hearing: preserve and improve the neighborhoods where necessary, but no abrupt change.

"I have said many times that there are few cities in the United States worth saving, worth keeping. Most other United States cities, if they approached or reached a point of greatness, soon went beyond that point with

overbuilding and a pragmatic rush to bigness that may be the major cause of their demise. I don't believe this has happened in San Francisco. San Francisco is still worth saving. That may be the ultimate challenge. I hope it can be said that I have helped to meet that challenge."

During the course of Mr. Jacobs' speech, Commissioner Farrell arrived in the Commission room and assumed his seat at the Commission table.

President Newman, speaking for the Commissioners, said that Mr. Jacobs had been a pleasure to work with as a professional, that he loved San Francisco, and that the Department has moved forward under Mr. Jacobs' direction. He congratulated him on a job well done. He announced that Mr. Jacobs would be leaving for a tour in Brazil, and a photo essay of his was opening at the De Young Museum on October 26, 1974.

Commissioner Porter observed that she had served with Mr. Jacobs for seven and a half years, and was part of the Commission who had chosen him. She pointed out that he had done a splendid job and indicated that the Commission would deeply miss him.

Commissioner Mellon said that, as one who had not always agreed with Mr. Jacobs, he still felt that everyone must recognize that Allan B. Jacobs had made a deep and sincere effort to understand the City from the time he arrived in the City. Mr. Jacobs had been around to practically all of the neighborhoods, and had probably walked 75% to 90% of them to get a feel of the City. He felt that San Francisco probably had more citizen participation than many cities. He particularly noted the Urban Design plan as an outstanding achievement and an excellent professional effort. Commissioner Mellon felt that San Francisco would be benefiting for many years to come from the planning that Mr. Jacobs had done while he had been here.

Commissioner Rueda agreed with the above sentiments.

Commissioner Farrell indicated that he was the newest commissioner; therefore he listened a lot but that he had learned a lot from Mr. Jacobs during his time on the Commission.

President Newman announced that Commissioner Farrell had officially been appointed Controller of the City and County of San Francisco. Commissioner Farrell indicated that that appointment had been made final last Monday and that he would be installed the following Thursday at 11:00 in the Mayor's Office and invited the Commission to be in attendance at that time.

At this point in the proceedings Mr. Jacobs turned the meeting over to Edward I. Murphy, Assistant Director, and absented himself from the Commission room.

George A. Williams, Assistant Director-Plans and Programs, gave a status report on Proposition J stating that it replaced the old Proposition C which had lost in the last election by a very slim margin. He indicated that the San Francisco Examiner, the San Francisco Progress and the Chamber of Commerce has endorsed Proposition J and he was very hopeful for its passage.

President Newman urged that all of the people in the audience support Proposition J and noted that the City Planning Commission had endorsed it.

R. Spencer Steele, Assistant Director-(Zoning Administrator), reported on two applications for reclassification as follows:

"Two applications for reclassification of fairly substantial areas of land were submitted to the Planning Commission this week by neighborhood groups. The Mission Planning Council has requested the reclassification of properties on the west side of Capp Street between 18th and 26th Streets and on the east side of Bartlett Street between 22nd and 26th Streets from C-2 to multiple-residential districts subject to interim residential zoning controls. Various property owners from the Inner Sunset have requested reclassification of various properties on 10th, 11th and 12th Avenues between Lincoln Way and Kirkham Street from R-4 and R-3 to R-2, which reclassification would extend slightly westward the R-2 zoning recently approved for the Inner Sunset. No date has been set for public hearing of these applications."

Commissioner Porter inquired as to whether the proposal in the Sunset reclassification application was an addition to the areas which the Commission had not approved. Mr. Steele responded in the affirmative and indicated that the area was to the west of that former area.

LM74.13 - CONSIDERATION OF PROPOSAL TO DESIGNATE AS A LANDMARK THE
HAAS-LILIENTHAL HOUSE, 2007 FRANKLIN STREET, ASSESSOR'S
BLOCK 600, LOT 12.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), reported that the Haas-Lilienthal House at 2007 Franklin Street had been built in 1885-86 and had been designed by architect Peter R. Schmidt for William Haas. He indicated that it had been the residence of the Lilienthal family and that there was a very complete history provided in the case report. He pointed out that this house was a very fine example of Queen Anne style and recommended designation as a landmark.

President Newman asked if there was anyone present in the audience who wished to speak to this issue. No one responded.

Subsequently it was moved by Commissioner Porter, seconded by Commissioner Farrell, and unanimously carried that Resolution No. 7255 be adopted designating the Haas-Lilienthal House at 2007 Franklin Street as a landmark because of its special character and special historical, architectural and aesthetic interest.

CONSIDERATION OF SEPTEMBER, 1974, DRAFT OF PROPOSED SUBDIVISION ORDINANCE.

Edward I. Murphy, Assistant Director, reported on the matter as follows:

"PUBLIC COMMENT

"Public oral comments were received on October 3, 1974, regarding the September 1974 draft of the proposed Subdivision Ordinance. In addition, written comments on the draft were received from Michael J. Carroll, representing the Parkmerced Residents' Organization; Joseph G. Stevenson, representing KCA Engineers, Inc. and the American Building Industry of Northern California; Edith Witt, representing the Human Rights Commission; Calvin Welch, representing the Haight-Ashbury Neighborhood Council; and Frederic Freund, representing the San Francisco Board of Realtors.

"Rather than addressing each comment specifically, this memorandum attempts to organize the comments so that a more comprehensive response can be made. Following the responses, there are a series of amendments that the staff recommends in the draft. Some are prompted by comments and some are improvements the staff suggests on its own.

"PROPOSED ORDINANCE

"I. There has not been sufficient public participation in the draft.
There should be more time for consideration.

"Lack of sufficient public participation is a common criticism in the drafting of most regulatory legislation. However, in drafting this subdivision ordinance, the joint staffs attempted to obtain as much input as possible, in the limited time available, from those organizations and agencies having known interests in subdivision activity. The value of such input, we believe, has been to focus attention on those areas in the draft ordinance where true differences of opinion exist, and those areas of conflict will be resolved by the Board of Supervisors after full public hearings.

"II. The ordinance regulates too much.

"A. It interferes with lawful use of property.

"The courts have long recognized the regulation of property as a legitimate exercise of police power. The Subdivision Map Act as well as the California Real Estate Law authorize specific government control of the subdivision and development of land. The former empowers local agencies to establish their own subdivision regulations.

"B. It prevents home ownership.

"The ordinance does not prevent ownership and in fact states as one of its purposes the encouragement of inhabitant ownership. The ordinance does discourage development disadvantageous to the people of San Francisco and encourages advantageous development.

"C. More regulation equals more cost.

"It is possible that in the short term the cost of individual units will be higher with regulation than without regulation. However, any cost increase that may occur will be offset by advantages to the purchaser and to the public at large.

"D. Only physical aspects of development should be regulated.

"Section 66474 of the Subdivision Map Act states that Tentative Maps must conform to the general and specific plans of the city. Although most of the Subdivision Map Act deals with improvement and design, this Section extends the range of review beyond physical requirements.

"III. Why allow conversions at all?

"Home ownership should be encouraged: it allows a family more control over its own life, promotes community stability, and may improve the quality of housing. Conversions make home ownership possible for a wider range of people. Furthermore, the Subdivision Map Act forbids disapproval of an application merely because it is a condominium or conversion.

"IV. The ordinance should regulate resale.

"The Subdivision Map Act is concerned with the regulation of subdivisions through submission of development maps (plans) to local governments.

"While certain measures can be taken to guard against later problems, the Subdivision Map Act is not directed toward control of all future use or sale of the property, and an extension of this sort would not be an appropriate subject for subdivision control.

"V. How are the requirements to be enforced?

"Before the final approval of a subdivision map for filing, the Director of Public Works can enforce the requirements by disapproval of the map.

"If there are conditions to be performed after final approval, many of the conditions will have inherent enforcement mechanisms. However, to strengthen the ordinance and to make its enforcement mechanisms parallel to those of the City Planning Code, the staff recommends amendment 1.

"VI. There should be more public hearings in review of proposed subdivisions.

"A. The City Planning Commission should hold public hearings.

"The Commission itself could impose such a requirement as part of its review process. However, the staff would not be adverse to including such a requirement in the ordinance. If the latter course is to be taken, the staff recommends amendment 2.

"B. The Director of Public Works should not limit his public hearings to projects of 25 or more units.

"The Department of City Planning originally suggested public hearings for all projects, or for projects of 10 or more units. The Director of Public Works has differed on this point, but has agreed to a requirement for a public hearing for projects of 25 or more units.

"It should also be noted that the subdivision conference, required in each case where there is no public hearing, is an open meeting. Also, the Director of Public Works may hold a public hearing in any case if he feels the circumstances warrant.

"The planning staff is informed that, a) the Department of Public Works believes that the subdivision conference and public hearing requirements in the ordinance adequately cover the public concern for public hearings; but b) if, however, it is the expressed desire of the public and of the Commission that public hearings be made mandatory for all conversions, the Department of Public Works will prepare an appropriate amendment incorporating this requirement.

"VII. The definitions of low and moderate income families should be more precise.

"The definitions are intended to follow the new Housing and Community Development Act of 1974. The precise nature of the 'median income' figures set by the Secretary of HUD has only recently become known. No specific dollar figures are used, since these would become obsolete in a short time.

"In order to make the definitions more precise, the staff recommends amendments 3 and 4.

"VIII. There should be additional considerations in evaluating conversions.

"A. There should be approval by a certain percentage of tenants to allow conversion.

"The staff considers such a requirement to be such a substantial departure from existing concepts that it should be addressed by the State Legislature rather than by local action. In New York, where such a requirement now exists, the matter is governed by State law and is tied to rent control. The position of the staff is supported by the City Attorney's Office.

"B. Allow more than 120 days to relocate.

"The Department of City Planning believes that reasonable minimum periods for relocation are amply supported by public policies. However, the prescribed period of 120 days is considered adequate, and the one-year minimum for elderly persons and families accounts for the most difficult relocation problems.

"C. The number of rental units in the city should not be allowed to decrease.

"The need for rental units must be balanced against the desirability of home ownership. Page 30 of 'Residence: Strategies and Programs', adopted by the Commission, states:

'Property maintenance and neighborhood stability are improved when more neighborhood residents own their own housing. In San Francisco the overall trend has been towards an increase in absentee ownership of buildings and an increase in tenant occupancy of units. Since this trend conflicts with the efforts of neighborhood preservation and maintenance, it should be discouraged and reversed wherever possible.'

"D. Each subdivision should contain a certain percentage of low and moderate income units.

"The staff finds difficulty with such a broad requirement. It would mean that the purchasers of the higher cost units could be asked to bear the social costs, financially and in other ways, which the entire city should properly bear. It would place a particularly heavy burden on smaller projects. It also raises questions of administration.

"However, it would be consistent with the policies of the Residence Element of the Master Plan and the Residence Strategy & Programs report adopted by the Commission February 7, 1974, that major new developments include a certain number of low and moderate income units. Therefore, the staff recommends amendment 5.

"E. The Affirmative Action subsection (1385(h)) should be revised to conform to Human Rights Commission concerns.

"The Section as it stands is an attempt to incorporate the concerns of the Human Rights Commission as to open housing. The Department of City Planning staff has been in contact with the staff of the Human Rights Commission, and there is no desire to impose upon the latter a responsibility it does not want to assume.

"The staff recommends amendment 6 as a result of the further discussions with the Human Rights Commission staff. In addition, amendment 7 clarifies the groups of people protected by affirmative action.

"The Department of City Planning has no objection to imposing such an affirmative action program on all subdivisions covered by the proposed ordinance rather than just conversions.

"F. Evaluation of the effect on low and moderate income families of conversion from rental to inhabitant-ownership should be made through a comparison of the costs before and after conversion.

"This was the type of comparison embodied in an earlier draft of this ordinance. However, the staff has become convinced that a simple comparison will not be conclusive or even possible in many cases. Downpayments, credit terms to individuals, and other financial factors can vary considerably, depending upon the current market, the developer and the individual purchaser.

"Section 1335(b) addresses this question and allows the staff to use all available means of evaluation and comparison.

"G. A reconnaissance report should not be required of conversions.

"The newly adopted Community Safety Element of the Master Plan speaks of the need to identify geologic hazards and hazardous buildings. It is as important for potential purchasers to know of geologic hazards in an existing building as it is for them to know of a faulty plumbing system.

"However, the staff feels a full reconnaissance report may not be necessary in all cases. The staff recommends amendment 3.

"H. There should be regulation to provide consumer protection as to the common areas, maintenance agreement, by-laws of the association, purchase agreements and truth-in-lending.

"The California Department of Real Estate regulates in all of these areas and requires a full, easy-to-read disclosure of all aspects of the project. It is quite possible the City is pre-empted in the field of property transactions. The ordinance, however, fills in certain areas of concern for the City not clearly covered by the Department of Real Estate. Section 1377 is an example of that fill-in.

"I. Tenants should be given a downpayment credit depending on the length of occupancy.

"This is another substantial departure from existing concepts and is better dealt with by the State Legislature rather than by local action.

"ADDITIONAL AMENDMENTS

"In addition to the amendments discussed above, the following are recommended by the staff.

"Amendment 9 (Tree-planting) The staff believes this amendment is necessary to implement the policies of the Urban Design Element of the Master Plan. The Director of Public Works originally questioned inclusion of such language in the draft and it was not included. He has now agreed to this amendment.

"Amendment 10 (Central Relocation Service) This amendment deletes reference to 25 or more units and clarifies the intent of the Section. The distinction between large and small buildings was made originally because serious problems would be encountered when a large number of tenants of low or moderate income were forced to look for housing at the same time. However, it has been pointed out that 25 is an arbitrary figure, and that it relates to the size of the building rather than to the magnitude of the relocation problem. The remainder of the Section was rewritten to clarify what the obligations of the subdivider are. These changes are not considered substantive.

"Amendment 11 (Tenant Right of First Option) This amendment substitutes 'first option' for 'right of first refusal' in response to the comments of the Commission. The additional language in the Amendment clarifies the extent of the right."

Mr. Murphy indicated that a letter had just been received from the Associated Building Industry and that he was somewhat surprised at the late response. Copies were provided to the members of the Commission.

The staff memo included twelve specific amendments to be made to the September 1974 draft ordinance. Mr. Murphy pointed out Amendment 12 which provided for a definition of stock cooperative. He explained that this had been done for clarification even though he felt that the definition for stock cooperatives were included in the definition of community apartments.

President Newman considered receiving comments from anyone in the audience, however, as the ordinance was under submission and the public hearing had been declared closed at the October 3, 1974, meeting, no comments were allowed. Commissioner Porter indicated that she regretted that there could not be a section for large apartment complexes. She regretted that the Commission could not have made it possible for 35% of the occupants to vote where there were a very large number of units. She felt that this was a major fault in the ordinance which itself was in response to the people from the Park Merced Project. She pointed out that Park Merced had been built with special privileges and now the controls for that kind of a thing would no longer be there.

Commissioner Farrell pointed out an apparent conflict on Page 5 of the Staff Memo and asked why the underlined statement, "The number of rental units in the City should not be allowed to decrease," was in conflict with the paragraph in the explanation.

John Mackie, Planner II, pointed out that the underlined statement was the public criticism; the quoted paragraph was the answer to the criticism.

Mr. Murphy recommended that the Commission endorse the September Ordinance and the attached amendments as provided in the October 21, 1974 staff memo.

Commissioner Porter inquired as to whether members of the public would speak on this subject.

President Newman responded that this was not technically a public hearing. Regarding the proposed ordinance, Mr. Newman also asked whether the Commission could impose a public hearing or whether it would be held only at the request of the Department of City Planning. Mr. Murphy responded that the Commission could request that all conversions have a public hearing before the City Planning Commission.

It was moved by Commissioner Rueda to endorse the draft ordinance and that the memo be included in the amendment.

Commissioner Porter asked whether the move indicated that the City Planning Commission would hold hearings. Mr. Murphy responded that a provision for this was provided in Amendment 2, "Whenever a property is to be subdivided, the City Planning Commission shall hold a public hearing on the question of consistency of the subdivision with the Master Plan."

Commissioner Farrell inquired as to whether all the problems of the Park Merced residents have been solved. Mr. Carroll, representing the Park Merced residents, indicated that they have not all been solved but this was not a public hearing. He pointed out that there was a little bit of a misrepresentation in the City Planning staff memo of October 21, 1974.

Commissioner Farrell then seconded the motion.

Commissioner Porter indicated that there was something sanctimonious about the goal that everyone should own their own dwelling. She felt that renters were as much a part of the city as home owners.

When the vote was called, the motion carried 4-0 to endorse the ordinance with the twelve amendments included in the memo for transmittal to the Board of Supervisors. The record shows that Commissioner Mellon abstained from this vote.

EXECUTIVE SESSION - DISCUSSION OF SELECTION OF NEW DIRECTOR OF PLANNING.

The Commission then sat in Executive Session.

President Newman adjourned the meeting at 3:03 p.m.

Respectfully submitted,

Marie Zeller
Acting Secretary

DOCUMENTS
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~~SAN FRANCISCO~~
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, October 31, 1974.

The City Planning Commission met pursuant to notice on Thursday, October 31, 1974, at 1:00 p.m. at 100 Larkin Street.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; George Carey, Thomas G. Miller and John Ritchie, members of the City Planning Commission.

ABSENT: Mortimer Fleishhacker, and Hector E. Rueda, members of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Selina Bendix, Environmental Review Officer; Richard Gamble, Planner IV; Joseph Fitzpatrick, Planner III; Janis Birkeland, Planner III-Urban Design; Ralph Gigliello, Planner II; Douglas Holmen, Planner II; Nathaniel Taylor, Planner II; Russell Watson, Planner II; Edward Green, Planner I; and Lynn E. Pio, Secretary.

1:00 P.M. FIELD TRIP

Members of the Commission and staff departed from 100 Larkin Street at 1:00 p.m. to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on November 7.

2:15 P.M. 100 LARKIN STREET

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, noted that the Commission would not be able to take action on any matter until such time as a quorum was present. However, in the interest of saving time, he indicated that he would proceed with his report to the Commission.

Mr. Murphy reported that the Finance Committee of the Board of Supervisors, meeting on Wednesday, had approved a reallocation of Department of City Planning funds to provide \$1,000.00 to be used for recruitment of a new Director of Planning.

Mr. Murphy advised the Commission that the proposed Franklin Hospital Master Plan has not been received by the staff; and, as a result, the public hearing on the Master Plan, previously announced for November 21, will have to be postponed. When the Master Plan is received, a new date for the hearing will be set.

Commissioner Porter asked if the staff had been in touch with representatives of Franklin Hospital. R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), replied in the affirmative. He indicated that the hospital is still working on the Master Plan; and he doubted that the plan will be completed until the Administrator of the hospital, who is presently overseas, returns.

Mr. Murphy noted that the meeting of the Budget and Personnel Committee of the Commission which had been scheduled for Tuesday had been cancelled. President Newman requested that the meeting be rescheduled next week.

Charna Staten, Planner III, advised the Commission that two alternate proposals for the re-design of Doyle Drive had been presented to a committee of the Board of Supervisors. The committee had requested the State Highway Department to do more detailed drawings of the alternates and had scheduled a further hearing on the matter for November 21. She described the two proposals which had been presented, indicating that the committee of the Board of Supervisors seemed to prefer the same scheme as the staff of the Department of City Planning.

Commissioner Miller asked if the issue of the two alternate designs would have to come before the Commission for action in the future. Ms. Staten replied in the negative, indicating that the Commission had already taken a position in support of a minimum road-way consisting of no more than six lanes; and she remarked that both of the alternate designs presently being considered would meet that criterion.

Mr. Steele reported that the State Legislature had adopted legislation recommending that construction of a new gasoline station be discouraged by local officials. He remarked that no new service stations have been proposed in San Francisco in recent years although some older stations had been reconstructed. However, if new service station sites should be proposed in the future, the Commission could review such applications under its Discretionary Review Authority if it so desired.

At 2:30 p.m. President Newman announced a recess pending the arrival of one additional Commissioner to provide the Commission with a quorum. With the arrival of Commissioner Carey, the meeting was reconvened at 3:15 p.m.

EE74.167 - CONSIDERATION OF APPEAL OF A NEGATIVE DECLARATION
ISSUED BY THE DEPARTMENT OF CITY PLANNING RELATIVE
TO A PROPOSAL TO CONSTRUCT A McDONALD'S RESTAURANT
AT 730 STANYAN STREET.

Douglas Holmen, Planner II, described the proposed development and summarized the staff's reasons for issuing a negative declaration on the project.

During the course of his presentation, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

President Newman called attention to letters which had been received from Richard L. Waller, 1835 Franklin Street and from Calvin Welch, Corresponding Secretary of the Haight Ashbury Neighborhood Council, urging that an Environmental Impact Report be required for the project. He also indicated that a letter had been received from five residents of the area who felt that the proposed restaurant would have a positive influence on their neighborhood.

The Commission then proceeded to hear from members of the audience including Richard L. Waller, 1835 Franklin Street, Calvin Welch, Corresponding Secretary of the Haight Ashbury Neighborhood Council, Dr. Mario D'Angeli, 33 MacArthy Avenue, Michael Ohleyer, Attorney for McDonald's restaurants, Richard Karns, Real Estate representative of McDonald's restaurants, Mark D. Crane, Traffic Consultant for McDonald's restaurants and Mark Ehrman, a resident of the neighborhood.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Miller and carried 4-1 that Resolution No. 7256 be adopted finding that the proposed project could not have a significant effect on the environment and affirming the negative declaration which had been issued by the Department of City Planning. Commissioners Carey, Miller, Newman and Porter voted "Aye" Commissioner Ritchie voted "No".

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

At 4:25 p.m. President Newman announced a five minute recess. The Commission reconvened at 4:30 p.m. and proceeded with hearing of the remainder of the agenda.

R74.37 - PROPOSED VACATION OF MAGGIE ALLEY, EAST OF JONES STREET NORTH OF GEARY STREET.

Richard Gamble, Planner IV, reported on this matter as follows:

"Maggie Alley is 10 ft. wide and 137.5 ft. long and runs easterly from Jones Street between Geary and Post Streets. The Gaylord Hotel occupies the entire north frontage, the El Cortez Hotel, on Geary is at its eastern terminus and has Fire Stairs and a 'tradesmen's entrance' opening onto the alley. On the south side is an apartment house at the corner of Jones and Geary and a vacant lot owned by the owners of the Gaylord hotel. The apartment house has windows and fire escapes opening to the alley.

"The owners of the Gaylord are required to provide off-street parking as a result of converting the structure to an apartment house. They propose to cover the parking lot on the Geary Street lot with a garden for the use of their residents and also for outdoor seating for a restaurant in the hotel's ground floor. A stair enclosure to the garage level is the only permanent structure proposed on the right-of-way. Awnings extending across the alley are contemplated in the outdoor dining area. In order to secure the garden a gate is contemplated near Jones Street. El Cortez Hotel's fire stairs and tradesmen's entrance would be served by a five-foot wide covered walkway to Geary Street alongside the hotel. A gate near the end of this walk would secure the garden.

"The applicant wishes to have the street vacated rather than to seek a revocable encroachment permit for use of the street area. His reasoning is that the investment was too great to risk a permit being revoked.

"The Urban Design Plan policies for conservation of street spaces are relevant to this vacation proposal despite the fact that Maggie is an alley of such minimal dimensions. It is the staff opinion that the criteria for giving up street space can be met if (a) the vacation results in the type and caliber of improvements shown in the applicant's architectural drawings, (b) the problems of access for fire fighting or other emergencies are solved, and (c) light and air are not taken from existing buildings. It is proposed that the vacation be minimized, that the City retain air rights above the level of the dining area awnings and surface easements for emergency access. Also easements should be retained to provide access to the other two properties. In the case of El Cortez hotel, the easement could be located on the proposed ramp or on the current alley alignment.

"Vacation of the easterly 75 ft. of Maggie Alley was proposed in 1965 and approved by the Board of Supervisors in spite of a finding of conflict with the Master Plan by the Planning Commission. The commission's finding was that the alley was needed for 'service, emergency, light and air access to abutting neighbors.' The current proposal with the retention of air rights and provision of easements overcomes these objections as well as preventing assemblage of a large contiguous building site. The 1965 vacation was eventually re-dedicated; the proponent never acquired the street due to financial reverses."

Commissioner Porter asked if the applicants would have to purchase the street right-of-way from the city. Mr. Gamble replied in the affirmative but indicated that the staff of the Department of City Planning would recommend that the city retain air and development rights over the street above the level of the dining area's awnings. Commissioner Porter then asked what position the owners of the El Cortez Hotel had taken with regard to the proposed project. Mr. Gamble replied that it was his understanding that the owners of the El Cortez Hotel had not been willing to speak to the applicant about the matter.

President Newman observed that the Urban Design Plan had suggested that the Commission should be cautious about approving street vacations. Mr. Gamble replied that the street vacation presently being considered would have a minimal impact if air-rights over the right-of-way were to be retained by the city; and he did not feel that a street vacation which would have such a minimal effect would be in conflict with the principles of the Urban Design Plan. Commissioner Ritchie stated that he had taken a walking field trip to the subject site; and he felt that the appellation "alley" actually dignified the little strip of land which was being considered. He remarked that the applicant's proposal would result in replacement of an open parking lot with a garage structure which would have a mini-park on top which would serve as a "garden court" for three apartment buildings; and he felt that the project would constitute a fantastic improvement for the block.

Richard P. Lieberman, the applicant, stated that most of the residents of his building will be older than 20 years of age; and, unless the right-of-way of Maggie Alley were to be vacated, allowing him to install gates, he would not be able to supply adequate security for his tenants.

President Newman asked the applicant if he would be willing to have the proposed street vacation be made subject to a condition requiring that the project be constructed as depicted in plans which had been presented. Mr. Lieberman replied in the affirmative, indicating that the project would be built at least as well as indicated in the plans if the street were to be vacated.

No one else was present in the audience to be heard on this matter.

Commissioner Miller asked if the El Cortez Hotel enjoys vehicular use of Maggie Alley at the present time. Mr. Lieberman replied in the negative, indicating that a post has been installed in the center of the right-of-way by the city which blocks vehicular access to the street. C. Dan Lange, Attorney for Mr. Lieberman, stated that he had studied the history of the street to determine if the street had ever been open for vehicular use; and the results of his study had been negative.

Commissioner Porter asked if the restaurant in the El Cortez hotel has public access from Maggie Alley. Commissioner Ritchie replied in the negative and stated that that restaurant has access from an alley on the other side of the hotel.

President Newman asked if the alley is needed for fire-fighting purposes. Mr. Gamble replied that the Fire Department had originally expressed some concern about the proposed vacation of the street; however, after the applicant had made certain changes in his plans, including provisions for an alternate way for residents of the El Cortez hotel to get out of that building, the Fire Department had withdrawn its objections.

Commissioner Miller asked if the owners of the El Cortez hotel had been notified that this matter would be considered by the Commission. Mr. Gamble replied in the negative.

Mr. Lange stated that he had been in touch with the attorney for the owners of the El Cortez Hotel; and they had indicated that their clients would not support any plans involving the vacation of Maggie Alley. Nevertheless, he felt that the proposed development would be of benefit to the El Cortez Hotel.

Edward I. Murphy, Acting Director of Planning, recommended that the proposed vacation be approved as in conformity with the Master Plan providing that the City retain air rights above the elevation of 114 feet above sea level, that an easement for access for emergency purposes be retained, and that access easements be retained to the two abutting property owners along the alley or other acceptable alignment across private property.

President Newman stated that he would be prepared to vote in favor of the street vacation only if the vacation were made conditional upon execution of the project as proposed.

After further discussion it was moved by Commission Miller and seconded by Commissioner Ritchie that the street vacation be approved as in conformity with the Master Plan subject to the conditions which had been recommended by Mr. Murphy and subject to the further conditions that the proposed project be constructed as indicated in the plans which had been submitted.

President Newman asked if the conditions being proposed by the Commission would be acceptable to the applicant. Mr. Lieberman replied in the affirmative.

When the question was called, the Commission voted unanimously to approve the vacation of Maggie Alley as shown of Bureau of Engineering Drawing SUR-2174 as in conformity with the Master Plan subject to the conditions which had been included in the motion.

R74.47 - HUNTERS POINT NEIGHBORHOOD FACILITIES.

Richard Gamble, Planner IV, reported on this matter as follows:

"The Director of Property has forwarded a proposal to transfer jurisdiction of the above facilities from his department to the Mayor's office.

"Three child care centers and a community center were built at Hunters Point with financing from HUD's Neighborhood Facilities Grant program. The City has assumed title to these properties and jurisdiction has temporarily been with the Real Estate Department.

"The centers have been operating on an interim basis with EOC and School District supervision and financing. A non-profit corporation entitled the Bay View-Hunters Point Neighborhood Facilities Corp. is being formed to operate the facilities. It is anticipated that they will have a broad range of activities including social, educational and local civic functions as well as child care and recreational use. The mixture of activities and the desire for substantial local involvement in the operation of the facilities would make it unwieldy to place them under the jurisdiction of the Recreation and Park Department or the Unified School District. The Department of Social Services does not engage in this sort of operation. The Mayor's office was selected because the City Demonstration Agency (Model Cities) unit and the Deputy for Social Services are situated there.

"The Master Plan does not address itself to matters of this nature. It is assumed that any reasonable administrative arrangements which result in proper operation of the facilities are supportive of the concepts of the Master Plan."

No one was present in the audience to address the Commission on this matter.

Commissioner Miller stated that he was familiar with the proposed facilities. Although the facilities will be operated by a citizen non-profit cooperation, title to the properties would be retained by the City. The only effect of the action presently being considered would be to transfer jurisdiction over the facilities from the Real Estate Department to the Mayor's Office.

Edward I. Murphy, Acting Director of Planning, recommended that he be authorized to report that the jurisdictional transfer of the facilities does not affect the Master Plan.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Carey and carried unanimously that the Acting Director be authorized to report that the jurisdictional transfer of neighborhood facilities at No. 1 Cashmere Street, 200 Cashmere Street, 1030 Oakdale Avenue, and 100 Whitney Young Circle from the Real Estate Department to the Mayor's Office does not affect the Master Plan.

Richard Gamble, Planner IV, reported on this matter as follows:

"The San Francisco Unified School District wishes to acquire the Regal Pale Brewery site on the north side of 20th Street at Harrison and Folsom Streets for an elementary school. The school, to accommodate about 300 students, would be used as a "staging facility" for students displaced while their schools are rebuilt to Field Act standards. Later it will become a permanent elementary school.

"The site is split by Treat Avenue. The westerly portion is "L" shaped, 200 x 245 plus 75 x 95, or 1.3 acres. The easterly portion measures 362 x 245, slightly over 2 acres. The district anticipates closing the street at some future time in order to unite the two parcels. This may be done either through the street vacation process or with a revocable encroachment permit. Because of the presence of underground utilities, the street area will not be used for buildings.

"The school architects plan to place the classrooms on the westerly portion of the site. The larger easterly portion will be primarily occupied by playground, with the southerly one-third devoted to a Spanish bi-lingual center.

"Redevelopment was proposed for the Regal Pale site in 1970. The plan, which called for housing on the site, was approved by the City, but HUD rejected the project because of lack of funds.

"The Comprehensive Plan for Residence indicates a transitional state from industry to residence on the fringes of the northeast Mission industrial district, including this block. The Plan for the Mission, prepared by the Model Cities agency, also shows the change to residential use. The Mission Planning Council has given its approval to locating a school on this site; however, they have been critical of some aspects of the site planning for the facility.

"The Comprehensive Plan for Recreation and Open Space policies for neighborhoods urges that school yards 'be used to their fullest extent as recreation resources,' and also states 'Where major public improvement programs are pending, new parks and recreation facilities should be provided to serve both the new development and the adjacent neighborhood.'

"The Recreation and Open Space Program's report, approved by the Planning Commission in July 1973 states that '...if new public schools are developed in the Mission District, open space should be included as part of a multiple-use educational facility which could respond to the critical educational and recreational problems of the area. Since school locational needs parallel recreational ones, a school should be developed as a community facility for joint use between City agencies.

"Because of severe pressures to get the staging school built as quickly as possible, the school district wishes to have the classrooms constructed by September 1975.

"However, there may be time for the Board of Education to revise its planning for the bilingual center to accommodate potential joint use on the site. In addition, it may be possible to design the remainder of the eastern portion of the site for recreation uses by the school children during school hours and by the community at large after school hours. Preliminary discussions with school district staff indicate a willingness on their part to consider joint use.

"If the Charter amendment creating an Open Space Acquisition and Park Development Fund is enacted (Proposition J), the City will have the means to finance its portion of joint use development assuming, of course, that it is decided by the Planning Commission, Recreation and Parks Commission, Board of Supervisors and the Mission community that that is a desirable use of Proposition J funds.

"It is important that the site be acquired as quickly as possible and acquisition should not be held up to determine if Proposition J funds can be programmed for joint use. However, the staff believes that the Commission's approval of the easterly site should be qualified to call for its possible joint use."

Edward I. Murphy, Acting Director of Planning, recommended that acquisition of the subject properties be approved as in conformity with the Master Plan provided that Lot 36, Block 3593 be developed for joint use as a recreational facility if funds are made available by the City and County. He further recommended that the Board of Education be requested to revise its planning for the bilingual center so as to accommodate potential joint recreational use on the site.

A representative of the Board of Education stated that the conditions which had been recommended by Mr. Murphy were acceptable.

After further discussion it was moved by Commissioner Miller, seconded by Commissioner Porter and carried unanimously that the Acting Director be authorized to report that acquisition of Lot 35, Block 3593, for use as an elementary school and Lot 36, Block 3593 for a bilingual education center is in conformity with the Master Plan provided that, if funds are made available by the City and County Lot 36, Block 3593 be developed for joint use as a recreational facility. It was further recommended that the Board of Education be requested to revise its planning for the bilingual center so as to accommodate potential joint recreational use on the site.

CONSIDERATION OF PROPOSED POLICIES FOR RE-USE OF HUNTERS POINT SHIPYARD.

George A. Williams, Assistant Director-Plans and Programs, noted that the proposed policies for re-use of the Hunters Point Shipyard, which had been derived by the staff from the Sedway/Cooke study which had been presented to the Commission earlier in the year, had been mailed to individual members of the Commission in advance of the meeting. He then summarized and explained the policies which related to Commerce and Industry, Residence, Transportation, and Recreation and Open

Space. Copies of the memorandum, which is entitled "Proposed Policies for the Re-Use of the Hunters Point Shipyard", are available in the files of the Department of City Planning.

Commissioner Porter asked if the Navy, in reviewing bids for the re-use of facilities at the shipyard, would be required to adhere to whatever policies might be recommended by the Commission or if the Navy could act independently of the Commission's recommendations. Mr. Williams replied that the Navy has the authority to act independently. However, he believed that the Navy would be willing to take the Commission's recommended policies into consideration. Especially in the areas which are to be declared surplus by the Navy, he believed that the Commission could be quite instrumental in establishing policies for future uses.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7257 be adopted and that the policies for re-use of the Hunters Point Navy Shipyard, as recommended by the staff, be adopted. The Commission also requested the Acting Director of Planning to work cooperatively with the Mayor's Office of Community Development and other concerned agencies, organizations, and individuals in seeking to implement the adopted policies.

EXECUTIVE SESSION

The Commission discussed the matter of selecting a new Director of Planning.

The meeting was adjourned at 6:15 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

DOCUMENTS
DEC 26 1974

Minutes of the Regular Meeting held Thursday, November 7, 1974

The City Planning Commission met pursuant to notice on Thursday, November 7, 1974, at 1:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Thomas J. Mellon and his alternate Virgil L. Elliott, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: Mortimer Fleishhacker, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator); George A. Williams, Assistant Director - Plans and Programs; Wayne Rieke, Planner IV-Zoning; Lucian Blazej, City Planning Coordinator; Charles Gill, City Planning Coordinator; Alan Lubliner, Planner III; Charna Staten, Planner III; Janis Birkeland, Planner III-Urban Design; Marie Zeller, Planner III-Administrative; Alan Billingsley, Planner II; Linda Ferbert, Planner II; Nathaniel Taylor, Planner II; Russell Watson; Planner II; and Lynn E. Pio, Secretary.

Dan Borsuk represented the San Francisco Progress; Larry Liebert represented the San Francisco Chronicle; and Harry Johanesen represented the San Francisco Examiner.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, reported that the Board of Supervisors, meeting on Monday, had approved for second reading the Commission's supplemental appropriation for \$1,000 to be used for recruitment of a new Director of Planning. The funds should be available in approximately two weeks.

Mr. Murphy informed the members of the City-Wide Comprehensive Plans Committee (Commissioners Newman, Mellon, Ritchie) that next week's meeting will be cancelled.

Mr. Murphy recommended that the Commission adopt a draft resolution which he had prepared to request a supplemental appropriation in the amount of \$6,458 to provide funds for changes in telephone service, the hiring of a 1706 Telephone Operator, and for use of employees cars. In response to a question raised by Commissioner Porter, Mr. Murphy stated that the proposed supplemental appropriation would provide funds for the hiring of the Telephone Operator from December 1, 1974, thru June 30, 1975.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7258.

Commissioner Porter, Chairman of the Commission's Budget and Personnel Committee, recommended the adoption of a draft resolution which would request a supplemental appropriation in the amount of \$5,672 to enable the Commission to employ a new Director of Planning as of the beginning of the new calendar year. She then moved that the resolution be adopted, and the motion was seconded by Commissioner Rueda. When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution No. 7259.

President Newman recommended the adoption of a draft resolution which had been prepared to express the Commission's regard and appreciation for the services rendered by Allan B. Jacobs while he held the position of Director of Planning. It was moved by Commissioner Rueda, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7260.

REVIEW OF RECENTLY ENACTED HOUSING AND COMMUNITY DEVELOPMENT ACT
OF 1974 BY THE STAFF OF THE MAYOR'S OFFICE OF COMMUNITY DEVELOPMENT.

John H. Tolan, The Mayor's Deputy for Development, Dean Macris, Director of the Office of Community Development, and Walter Gaby, Assistant Director of the Office of Community Development, reported on the local implications of the Housing and Community Development Act of 1974, placing particular emphasis on Title I of the Act which establishes procedures through which programs previously funded by the Federal Department of Housing and Urban Development are to be financed in the future. Because of the formula used in allocating Federal funds to major cities, San Francisco will receive less money in the future than it has in the past; and the Department of City Planning will be expected to work with the Mayor's Office of Community Development to establish priorities for use of the funds. Following the presentation, Mr. Macris and Mr. Tolan responded to questions raised by members of the Commission. During the presentation, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

CONSIDERATION OF A REPORT ON A TRANSPORTATION SYSTEM FOR THE
EMBARCADERO AREA INCLUDING ALTERNATIVES TO THE EXTENSION OF
INTERSTATE 280 ALONG THE SAN FRANCISCO WATERFRONT AND A PLAN
FOR THE DEMOLITION OF THE EMBARCADERO FREEWAY.

George A. Williams, Assistant Director - Plans and Programs, and Alan Lubliner, Planner III, presented and summarized the report which is available in the files of the Department of City Planning. During the course of the presentation Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

Commissioner Porter recognized that it has been the policy of the Commission and of the City that the elevated Embarcadero Freeway should be demolished; but she continued to feel that it was unlikely that funds would be made available for that purpose.

President Newman, noting that the staff had proposed that a surface roadway be constructed to replace the elevated Embarcadero Freeway, asked if the staff really felt that it would be possible for pedestrians to have access to the waterfront across the surface roadway. Mr. Lubliner replied in the affirmative. While he recognized that it would probably be difficult for pedestrians to cross the roadway during rush hours, it should be easy for them to cross the roadway at other times, particularly on weekends.

Commissioner Ritchie stated that he personally favored the Colin B. Kelly, Jr. alternative for linking Interstate Routes 280 and 480 since that alternative would require demolition of fewer major industrial buildings than other alternatives which had previously been considered. However, he did not agree with the staff recommendation that the elevated Embarcadero Freeway should be demolished. In view of the number of high-rise buildings which have been or are to be constructed near the waterfront on both sides of Market Street, the impact of the elevated freeway will be negligible except from the point of view of pedestrians walking towards the Ferry Building on lower Market Street. Many many millions of dollars were spent for construction of the elevated freeway; and he questioned the logic or the practicality of spending millions of dollars more to demolish the structure and to return the heavy volume of traffic which it carries to ground level. While he supported some of the recommendations offered in the staff report, he viewed the proposal for demolition of the elevated Embarcadero Freeway as impractical and aesthetically unnecessary.

Mr. Williams stated that the draft resolution which had been prepared for consideration by the Commission did not involve endorsement of the recommendations made in the report. By adopting the draft resolution, the Commission would merely accept the report and authorize its transmittal to the Board of Supervisors. After further discussion it was moved by Commissioner Mellon seconded by Commissioner Porter, and carried unanimously that Resolution No. 7261 be adopted to accept the report and to authorize its transmittal to the Board of Supervisors. In adopting the resolution, the Commission indicated that it was its intention that the report should be sent to the Board of Supervisors without recommendation. Commissioner Ritchie requested that a copy of the letter of transmittal be sent to him.

LM74.4 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE ATHERTON HOUSE, 1990 CALIFORNIA STREET, AS A LANDMARK.
(UNDER ADVISEMENT FROM MEETING OF OCTOBER 3, 1974).

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), summarized the architectural and historical characteristics of the building upon which the Landmarks Preservation Advisory Board had based its recommendation that the building be designated as a Landmark. Mrs. Bland Platt, President of the Landmarks Preservation Advisory Board, indicated that she was present to answer any questions which might be raised by members of the Commission.

President Newman called attention to letters which had been received from Earl C. Moss, President of the Victorian Alliance, and from Ralph L. Coffman of the Board of Directors of the Pacific Heights Association in support of the proposal to designate the building as a Landmark.

Dr. Albert Shumate, a member of the Landmarks Preservation Advisory Board, advised the Commission that while some of the families which were associated with the Atherton House are not well known today, they were extremely important in their own times. He also distributed a copy of an article which he had clipped from the San Francisco Chronicle which indicated that the Junior League of San Francisco had been founded and that its initial meetings had been held in the subject building. From a historical point of view, he felt that few of the buildings which had been recommended for landmarks designation by the Landmarks Preservation Advisory Board were as important as the building which was presently being considered.

Stewart Morton, representing the Foundation for San Francisco's Architectural Heritage, indicated that he supported the proposal to designate the building as a Landmark on the basis of its architectural and historic merit.

Paul Burke, representing the Executor of the Estate of the former owner of the subject building, spoke in opposition to the proposal to designate the building as a Landmark. He informed the Commission that the heirs of the estate are two elderly sisters, aged 79 and 91, one of whom lives in Missouri and the other in Southern California. He stated that the heirs are not interested in absentee ownership of the building and wish to have the property sold as soon as possible for the highest price obtainable. He indicated that restoration of the building would seriously deplete the estate; and he did not feel that the present condition of the building renders it worthy of landmark designation. He believed that designation of the building as a Landmark would cause prospective purchasers to be reluctant to buy the property; and, as a result, the market value of the property would be depressed. He remarked that San Francisco's Landmark Ordinance has never had a court test; and he felt that the ordinance should be subjected to such a test before privately owned buildings are made subject to the ordinance. He asked that the proposal to designate the subject building as a Landmark be disapproved.

Commissioner Ritchie, noting that Mr. Burke had stated that the cost of restoring the building would seriously deplete the estate of the previous owner, suggested that the best approach might be to sell the building as soon as possible for the highest price and to let someone else worry about the cost of restoration. Mr. Burke replied that the proposed designation of the building as a Landmark would limit the new owner's ability to restore or demolish the building; and, as a result, such designation would depress the value of the property. Regardless of what may happen to the building in the future, he felt that the previous owner's estate should be free to sell the property without any complications.

Ralph L. Coffman, representing the Pacific Heights Association, distributed copies of photographs which members of his organization had taken of the

subject building. He stated that the Pacific Heights Association has been concerned about preservation of older buildings in the subject neighborhood; and he indicated that the subject building was one of the major buildings, if not the major building, which his organization wished to preserve.

Edward I. Murphy, Acting Director of Planning made the following recommendation:

"In my opinion this building is not a particularly fine example of either the Queen Anne or the stick-eastlake styles of architecture, and further, the many shapes and forms do not appear to have any sense of unity whatever. Given the many other residences in San Francisco that are more representative of these styles, it does not appear to me that this house should be designated as a landmark. I therefore recommend that the designation be denied."

Commissioner Ritchie stated that he did not intend to support the staff's recommendation on this matter. He noted that Dr. Shumate of the Landmarks Preservation Advisory Board had attested to the historical importance of the building; and he remarked that a portion of the letter which had been received from Mr. Coffman had read as follows:

"The Atherton House is an architecturally complex structure whose architect followed no formal architectural style, but incorporated into the building whatever architectural features might help express the social purposes for which the house was built. In this respect, while technically a Queen Anne house, it is a precursor of the functionalist structures of later architects. Fortunately, the house is almost completely unaltered inside and out, so that its salient architectural features require no restoration."

He commented on the fact that the subject building is a very large and unusual house; and he observed that the building, because of its significance as a precursor of the functionalist structures of later architects, might someday be considered to be one of the best buildings in the city even though some individuals might continue to think of some aspects of the building as being rather ugly. While he acknowledged that the back of the building is not particularly attractive, he noted that the Commission had recommended designation of the South San Francisco Opera House as a Landmark in spite of the fact that only one facade of that building has any architectural beauty. Furthermore, he noted that the case report which had been prepared by the Landmarks Preservation Advisory Board on the subject building contained more historical data than most of the case reports which had previously been transmitted to the Commission. Under the circumstances, he moved that the building be designated as a landmark.

Commissioner Porter stated that she did not consider the Atherton House to be an outstanding example of architectural style or attractiveness; and, if every house in San Francisco which had been occupied by prominent people were to be designated as landmarks, she felt that official landmarks

designation in San Francisco would cease to have great prestige. However, in deference to Mrs. Platt's affiliation with the Junior League of San Francisco which was founded in the subject building, she wished to second Commissioner Ritchie's motion.

Commissioner Mellon stated that he had been particularly impressed by Mr. Burke's testimony that designation of the building as a Landmark would place a burden on two elderly ladies; and he did not feel that the subject building's historical importance merited an action which would result in a hardship for people of that age.

Commissioner Ritchie stated that he, also, had great sympathy for the situation which the ladies were facing; however, he felt that the Commission, in considering a proposal to designate a building as a Landmark, should be more concerned with the architectural and historic merit of the building than with the present owners or occupants of the building. He believed that history and architecture of the building merited landmarks designation; and, based on past experience, he felt that designation of the building as a Landmark might actually make the building more attractive to prospective purchasers.

Commissioner Mellon stated that people, particularly elderly people, were more important to him than the designation of buildings as landmarks.

When the question was called, Commissioners Newman, Porter, and Ritchie voted "Aye" and Commissioners Finn, Mellon and Rueda voted "No". Therefore, in accordance with the Rules and Regulations of the City Planning Commission which provide that "a tie vote on any matter before the Commission shall be deemed to be a disapproval thereof", Resolution No. 7262 was adopted and the proposal to designate the Atherton House as a Landmark was disapproved.

At 3:20 p.m. President Newman announced a ten-minute recess. The Commission reconvened at 3:20 p.m. and proceeded with hearing of the remainder of the agenda. At this point in the proceedings, Commissioner Mellon absented himself from the meeting room and his seat was assumed by his alternate, Virgil L. Elliott.

CU74.51 - 1152-56 CLEMENT STREET, NORTHEAST CORNER OF FUNSTON AVENUE.
REQUEST FOR AUTHORIZATION TO LEGALIZE USE OF A PART
OF THE EXISTING STRUCTURE AS A PROFESSIONAL OFFICE
FOR ARCHITECTS: IN AN R-4 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of two adjacent lots having a 45-foot frontage on Clement Street and a 100-foot frontage on Funston Avenue for a total area of 4,500 square feet. The building occupying the subject property contains one non-conforming use with a 1980 termination date, two apartments, and one architectural office which was formerly an apartment. The applicant had filed the Conditional Use Application in order to legalize the existing architectural office.

NOVEMBER 7, 1974

President Newman stated that members of the Commission had taken a field trip to the subject site. He then asked if anyone was present in the audience to speak in opposition to the application and received no response.

Mr. Steele recommended that the application be approved subject to three specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Igor Sazevich, the applicant, replied in the affirmative.

After discussion it was moved by Commissioner Elliott, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 7263 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

AM74.6 - 7 HOPKINS AVENUE, NORTHWEST CORNER OF CORBETT AVENUE.
R-1 TO AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 25 feet of frontage on Corbett Avenue and 105 feet of frontage on Hopkins Avenue for a total area of 2,625 square feet. The applicant had requested that the property, which is presently vacant, be reclassified from R-1 to R-3 so that two or three dwelling units could be constructed on the site.

Ray Pozzolo, the applicant, stated that he had believed that the property was zoned R-3 until he had looked at a zoning map and had discovered that it is zoned R-1. He felt that the property should be zoned the same as other properties on Corbett Avenue instead of being zoned R-1 like properties fronting on Hopkins Avenue.

Terry Covert, representing Nob Hill Neighbors, noted that the staff of the Department of City Planning is presently engaged in a City-wide Residential Zoning Study; and he feared that approval of the subject application might establish a precedent for other reclassifications prior to completion of the zoning study. As a case in point, he noted that an application is currently pending for a change of height limit on Nob Hill; and, since he was opposed to approval of that application, he felt that the subject application should be disapproved, also.

President Newman called attention to a letter which had been received from G. R. Bobbit, 28 Hopkins Avenue, indicating that he would have no objection to approval of the subject application providing that the zoning of his property were to be changed, also.

Joseph Rush, 29 Hopkins Avenue, advised the Commission that all of the owners of property on Hopkins Avenue with the exception of Mr. Pozzolo and Mr. Bobbit were satisfied with the existing R-1 zoning along their street. He felt that the only reason that the proposed re-zoning was being requested was so that the applicant would be able to construct an apartment building on this property; and he remarked that there is already too much traffic on streets in the area. He hoped that the application would be disapproved.

President Newman asked for a show of hands of individuals present in the audience in opposition to the subject application. Approximately 10 people responded.

Mr. Steele stated that the entire frontage of Hopkins Avenue is presently zoned R-1 and is developed, except for the subject parcel, with single-family dwellings. He indicated that adjacent properties fronting on Corbett Avenue are also developed with single-family dwellings; and, therefore, the character of the neighborhood has been established. He believed that the subject property could be suitably developed with a single family dwelling; and, since the applicant had not shown that public necessity, convenience, or general welfare would require the proposed reclassification, he recommended that the application be disapproved.

After discussion it was moved by Commissioner Ritchie, seconded by Commissioner Rueda, and carried unanimously that Resolution No. 7264 be adopted and that the subject application be disapproved.

AM74.7 - 1701 FRANKLIN STREET, NORTHWEST CORNER OF CALIFORNIA STREET.
R-3 TO R-4 DISTRICT.

CU74.54 - 1701 FRANKLIN STREET, NORTHWEST CORNER OF CALIFORNIA STREET.
REQUEST FOR AUTHORIZATION TO CONVERT AN EXISTING 12-ROOM
BOARDING HOUSE OR USE AS PROFESSIONAL OFFICES BY FOUR OR
MORE ATTORNEYS; IN AN R-4 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 77.5 feet of frontage on California Street and 137.5 feet of frontage on Franklin Street for a total lot area of 10,656.25 square feet. He stated that the building which occupies the property has been designated as a Landmark; and he indicated that it is presently used as a boarding house with 12 rental room plus a kitchen and dining facilities. The applicant wished to use the building for offices for four attorneys, two legal secretaries, one receptionist, and a caretaker; however, since professional offices may be authorized as a conditional use only in R-4 and less restrictive districts, the applicant had also requested that the property be reclassified from R-3 to R-4 so that the Conditional Use Application requesting authorization for the professional offices could be considered. In conclusion, Mr. Steele stated that the Board of Supervisors, acting on the recommendation of

NOVEMBER 7, 1974

the City Planning Commission, had reclassified the property from R-5 to R-3 earlier in the year.

Richard Moran, one of the applicants, advised the Commission that the law firm which wished to occupy the subject building is small and that it has a small volume of clients. He stated that his firm would like to restore the subject building; and he indicated that funds are available for that purpose. He believed that the proposed restoration would be of benefit to the city. While the issue of six off-street parking spaces for the proposed use, as required by the City Planning Code, had not yet been resolved, he stated that it was hoped that the parking spaces could be located on another parcel of property in the immediate vicinity. In conclusion, he advised the Commission that a number of individuals and groups had indicated their support of the subject application.

Commissioner Ritchie asked how much money would be spent for restoration of the subject building. Mr. Moran replied that it was estimated that the restoration would cost approximately \$50,000.

A representative of the owner of property located at 1830 Gough Street noted that properties in the neighborhood had just recently been "down zoned"; and he did not feel that office uses should be permitted in a residential neighborhood. While he acknowledged that the building does need to be fixed up, he did not feel that that need would justify action which would permit the property to be used commercially. If the owners of the property had not placed such a high value on the property, the building might have been purchased and rehabilitated for residential use.

Ralph Coffman, representing the Pacific Heights Association, indicated that he had written a letter to the Commission on behalf of the Board of Directors of the Pacific Heights Association indicating their support of both the re-zoning and the conditional use applications. He noted that he had spoken to the importance of preserving the subject building, which serves as a gateway to Pacific Heights, when the Commission was considering "down-zoning" of properties in the neighborhood; and he indicated that he still felt that it was essential that the building should be preserved. Therefore, they were prepared to support the application for reclassification of the subject property to R-4 providing that the vacant area on the north side of the house should remain in the R-3 district in order to make future development of the property to R-4 density standards more difficult. They also felt that the proposed re-zoning of the property should be made conditional upon occupancy of the building by the group of attorneys who had filed the subject application with a provision specifying that the property should revert to R-3 zoning if any other use were introduced on the site or if the property should be sold in the future. In conclusion, he stated that the Board of Directors of his association recommended that the parking requirement of the City Planning Code for the proposed use be waived in its entirety.

President Newman stated that the Commission had also received a letter from Earl C. Moss, President of the Victorian Alliance, in support of the subject applications.

The Secretary informed the Commission that the staff had received a telephone call from Dr. Charles Noble, one of the trustees for the estate which presently owns the subject property, advising that the estate had no objection to the subject applications providing that use of the building is restricted to lawyers' offices.

Laureen Pearson, daughter of the owner of property located across the street from the subject site, spoke in opposition to allowing a commercial use in a residential neighborhood. She stated that the parking situation in the subject neighborhood is practically impossible at the present time; and she felt that the proposed use would bring more automobiles into the area. When asked by President Newman what she felt should happen to the subject building, she indicated that she would like to have it preserved; however, she felt that authorization for a commercial use on the property would be unfair to other people residing in the area. She noted that the church on the opposite side of Franklin Street had recently spent \$100,000 to develop an off-street parking facility.

President Newman asked if he were correct in understanding that the house would be occupied only by a caretaker at night. After receiving an affirmative response, he remarked that the proposed use of the building should generate less evening traffic than the present use of the building.

Commissioner Porter asked if it would be possible for the Commission to stipulate that the zoning of the property should revert to R-3 if the use should change or if the property should be sold. Mr. Steele replied that the City Planning Code does not permit the Commission to re-zone with stipulations; however, he felt that he had formulated a recommendation which would accomplish the same objective.

Stewart Morton, representing the Foundation for San Francisco Architectural Heritage, stated that his organization had been concerned about preservation of three of the buildings on the north side of California Street in the subject block. They had tried to find a prospective purchaser for the subject property who would be willing to use the building for residential purposes; but they had been unsuccessful. They were delighted that a group of attorneys was willing to purchase and restore the building; however, they shared the concerns which had been expressed by Mr. Coffman and felt that approval of the subject applications should be made contingent upon the conditions which he had recommended.

Paul Sachs, 1817 California Street, stated that he was in favor of the project proposed by the group of attorneys. However, he was disturbed by the staff's equivocal response as to whether it would be possible to stipulate that the property should automatically revert to R-3 zoning if the use should change or if the property should be re-sold; and he noted that an application had already been filed for a permit to demolish the building.

Mr. Moran stated that the application for the demolition permit had been filed by the present owners of the property; and he indicated that the applicants had no intention of demolishing the building.

Commissioner Ritchie asked Mr. Moran to comment on Mr. Coffman's proposal that the vacant property to the north of the building be retained in the R-3 district. Mr. Moran replied that he did not feel that the retention of R-3 zoning for that portion of the property would be necessary to achieve the Commission's objective; and, if the applicants were required to install a parking lot on the site, it might be necessary for the northern portion of the property to be zoned R-4.

Richard Conway, owner of property located at 1735 Franklin Street, stated that he was anxious to have the subject building preserved; however, he indicated that it would not be very pleasant to look out of his windows at a parking lot. Therefore, if the zoning of the property were to be changed, he felt that the northerly portion of the property, which is not occupied by the building, should be retained in the R-3 district.

Mrs. Bland Platt, President of the Landmarks Preservation Advisory Board, stated that her board had taken a position in support of the subject applications. While she felt that installation of a parking lot on the site would be detrimental to the setting of building, she was confident that the parking issue could be resolved if the re-zoning and conditional use applications were to be approved by the Commission.

A representative of the estate of the previous owner of the subject property, advised the Commission that the estate is financing the purchase of the property. The estate has been searching for a prospective purchaser who would be willing to use the property for residential purposes; but the only attractive offer which had been made to date had been made by the group of attorneys.

Terry Covert, representing Nob Hill Neighbors, stated that his organization supported the Pacific Heights Association's request for approval of the applications subject to the conditions which had been recommended by Mr. Coffman.

Commissioner Rueda, noting that Mr. Covert had appeared before the Commission earlier in the afternoon to oppose another application requesting reclassification of residential property, asked if he did not feel that he was being inconsistent. Mr. Covert replied that the members of his organization were concerned about preservation of historic buildings as well as zoning issues; and he admitted that it was sometimes difficult to draw a line between the two. However, in the case which had previously been considered by the Commission, most of the properties in the area had been developed with single family houses whereas there is a greater mixture of uses in the subject neighborhood.

Mr. Steele noted that the Landmark designation covers the entire parcel of property and not just the area occupied by the building; and he remarked that parking could be permitted on the northern portion of the site whether that part of the property is zoned R-3 or R-4. He did not feel that retention of the northern portion of the property in the R-3 district would be of any significance whatsoever. He then recommended that the conditional use application be approved subject to ten specific conditions which included the following:

"This authorization shall be for the applicant only and shall not be transferable except upon reapplication as a new conditional use.

"Failure to comply with any of the above conditions or failure to establish attorneys offices in this building within a reasonable time as determined by the Zoning Administrator shall be sufficient to void this authorization after public hearing by the City Planning Commission.

"It shall be the policy of the City Planning Commission to initiate zoning reclassification of this property to R-3 if this conditional use authorization is voided.

"The conditions above shall be recorded on the land records of the City and County in a form approved by the Zoning Administrator.

"This authorization is contingent upon reclassification of the property from an R-3 (Low-Medium Density Multiple Residential) district to an R-4 (High Density Multiple Residential) district as proposed in Application No. ZM74.7 and shall become effective on the effective date of the ordinance which so reclassifies the property."

Mr. Steele then recommended that the application for reclassification of the property from R-3 to R-4 be approved so that the Conditional Use Application might be considered. He remarked that the Commission had earlier approved reclassification of the property from R-5 to R-3 in order to prevent construction of a high density apartment building on the site; and he believed that the approach which he had recommended in the conditions which he had drafted for adoption by the Commission if it were to approve the conditional use application would preclude future development of the property to R-4 standards.

President Newman, noting that Condition No. 7 of the draft resolution pertaining to the conditional use application specified that the Zoning Administrator would establish a reasonable amount of time within which the building should be converted for use by the group of attorneys, asked if Mr. Steele could give the Commission an indication of the period of time which he might consider to be "reasonable". Mr. Steele replied that the reasonable amount of time would depend on circumstances; however, he indicated that he assumed that the applicants would follow normal procedures in acquiring the property and preparing the building for the proposed use.

Commissioner Ritchie asked if the actions which had been recommended to the Commission would permit the garden on the north side of the building to be used as a parking lot. Mr. Steele replied in the affirmative but indicated that such use would require the approval of the staff of the Department of City Planning.

Commissioner Rueda asked if an R-4 Building Permit Application for the subject site submitted subsequent to approval of the reclassification to R-4 by the Board of Supervisors would be valid. Mr. Steele replied that the Landmark building on the site could not be demolished without a Certificate of Appropriateness.

Commissioner Porter observed that the record would show that the Commission had recommended reclassification of the subject property to R-4 for a specific purpose. Furthermore, the Commission would have the ability to delay the issuance of a demolition permit; and it could also initiate re-zoning of the subject property back to R-3.

Commissioner Rueda stated that he was still concerned that a building permit application filed under the circumstances which he had outlined would still be valid. Mr. Steele stated that the permit application could be brought before the Commission for Discretionary Review; and, if a major project were being contemplated, an Environmental Impact Report would probably be required, also.

President Newman expressed concern that someone might purchase the property in the future with the intention of using it for R-4 development; and he wondered if the Commission's proposed action would "place a cloud on the title of the property" to preclude such a purchase from being made in good faith. Mr. Steele replied that Condition No. 9 of the draft resolution which he had prepared for approval of the Conditional Use specified that the other conditions contained in the draft resolution should be recorded on the land records of the City and County.

Commissioner Ritchie felt that it would be desirable for the land records to contain a reference to the minutes of the present meeting so that the intent of the Commission would be completely clear.

Commissioner Rueda stated that he was concerned about changing the zoning of a single parcel of property for a particular purpose, no matter how worthy that purpose might be; however, having stated those reservations, he was prepared to vote in accordance with Mr. Steele's recommendations. Nevertheless, he felt that it would be desirable to amend the Landmarks Ordinance so that uses such as the one presently being considered would be permitted in landmark buildings without necessitating re-zoning. Mr. Steele replied that legislation of that sort will be considered by the staff of the Department of City Planning during the course of the City-Wide Residential Zoning Study.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that Resolution No. 7265

be adopted and that Application ZM74.7 be approved. Subsequently, it was moved by Commissioner Elliott and seconded by Commissioner Rueda that Application CU74.54 be approved subject to the conditions which were contained in the draft resolution which had been prepared by Mr. Steele.

President Newman asked if the conditions which were contained in the draft resolution were acceptable to the applicants. Mr. Moran replied in the affirmative.

When the question was called, the Commission voted unanimously to adopt the draft resolution as City Planning Commission Resolution 7266 and to approve Application CU74.54 subject to the conditions which had been recommended by Mr. Steele.

At this point in the proceedings, Commissioners Elliott and Rueda absented themselves from the meeting room for the remainder of the meeting.

CU74.55 - 1201 ORTEGA STREET AND 1935-39 19TH AVENUE.
REQUEST FOR AUTHORIZATION TO MODIFY THE APPROVED
EXPANSION OF THE SAN FRANCISCO CONSERVATORY OF MUSIC
BY ADDING 2 ADJACENT LOTS FRONTING ON 19TH AVENUE TO
THE SITE AND BY SUBSTITUTING OPEN PARKING FOR THE BASE-
MENT PARKING WHICH WAS PREVIOUSLY PROPOSED; IN AN R-3
DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property. He stated that the current proposal of the San Francisco Conservatory of Music was to construct the auditorium and some of the classrooms which had been approved by the City Planning Commission on March 1, 1973, but to reduce the cost of the earlier proposal by deleting the underground parking and by deleting the southwest wing. Twenty-four open, landscaped parking spaces would be provided on two of the three lots to be purchased. An additional 21 spaces would be provided on the site of the deleted wing for a total of 45 off-street parking spaces. All of the parking spaces would be entered from 19th Avenue.

John Beckman, Chairman of the Board of Trustees of the San Francisco Conservatory of Music, informed the Commission that the lowest bid for construction of the project previously contemplated had been more than one-half million dollars in excess of recently up-dated estimates; and, because of a lack of funds, the Conservatory had been forced to revise its plans in order to reduce its original cash out-lay. He emphasized that the proposed facilities are urgently needed; and, after displaying and describing a site plan of the proposed development, he urged that the subject application be approved.

Commissioner Ritchie, noting that the members of the Commission had taken a field trip to the subject property, asked if the large hole on the site had been dug for the underground parking facility which was previously

contemplated. Mr. Beckman replied in the affirmative, stating that the Conservatory had begun the excavation while waiting for bids in order to save time; however, now that it was apparent that the underground parking facility would be too expensive, a portion of the hole would have to be filled up again.

President Newman called attention to letters which had been received in opposition to the subject application from the Parkside District Improvement Club and from Kittie M. Holdorff, 1950 19th Avenue. He also indicated that a letter had been received from Mrs. Sarah Keyak urging that the amount of off-street parking to be provided on the site not be reduced.

Ken Michenberg read and submitted the following letter by Richard Buschman, Chairman of the Housing Committee of the Sunset-Parkside Education and Action Committee:

"SPEAK's Housing Committee has met and reviewed plans for the purchase of three homes along 19th Ave. by the San Francisco Conservatory of Music in conjunction with their new construction plans. The following statement represents a concensus of the Committee.

"SPEAK has generally adopted a position that opposes the destruction of residential housing in our community. The Housing Committee therefore believes that the Conservatory's original plan for underground parking, which would have preserved the 19th Ave. homes, was preferable in terms of neighborhood impact.

"It has been explained to us that the initial plan is no longer financially feasible even though extensive excavation has already occurred in preparation for the underground lot.

"In our opinion the adoption of the more disruptive plan necessitates the implementation of additional mitigative measures by the Conservatory. We therefore urge that the following conditions be placed on the new application in view of its new impact on the community:

- "1. An extensive landscaping scheme be utilized not only on Conservatory property but also along 19th Ave.
- "2. Trees be offered to adjacent property owners willing to care for their maintenance.
- "3. Plans be presented to the Department of City Planning to minimize construction noise and disruption of the neighborhood.
- "4. A commitment be made by the Conservatory that it will not engage in additional expansion that involves the destruction of residential dwellings and that the surrounding neighborhood be consulted prior to the adoption of any further development plans."

Carol Wentler, 839 Sanchez Street, stated that he was opposed to the construction of parking lots anywhere in the city, especially in cases where demolition of residential buildings might be involved. He indicated that he supported the continuing battle for residential use of properties along 19th Avenue.

Mrs. Martin stated that her aunt had decided to sell her home to the Conservatory so that it could be used for a parking lot; and she emphasized that additional off-street parking spaces are needed in the subject neighborhood.

Milton Salkind, President of the San Francisco Conservatory of Music, stated that the Conservatory had demolished its recital hall and most of its larger classrooms; and he emphasized that the reconstruction program must be initiated as soon as possible. Under the circumstances, he urged that the subject application be approved.

President Newman asked if the Conservatory contemplated construction of an underground parking facility in the future when funds are available. Mr. Beckman replied that one of the alternatives being considered would involve a slight elevation of the westerly portion of the parking lot so that the space beneath could be used for another purposes.

Mr. Steele recommended that the application be approved subject to a draft resolution which he had prepared which incorporated conditions previously established by Resolution No. 6798 and Resolution No. 6984 and which contained four new conditions. While he respected the concepts of the conditions which had been recommended in the letter which had been written by Mr. Buschman, he felt that most of those recommended conditions should be regarded as a matter of principle between the Conservatory and the neighborhood; however, he indicated that he would expect the Conservatory to work with the Department of City Planning to minimize construction noise and disruption of the neighborhood.

President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Beckman replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7267 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU74.56 - 1449 MENDELL STREET, NORTHEAST CORNER OF PALOU AVENUE.
REQUEST FOR AUTHORIZATION TO OPERATE A MORTUARY; IN A
C-2 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has 25 feet of frontage on Mendell Street and 100 feet of frontage on Palou Avenue for a total area of 2500 square feet. The property

is occupied by a vacant building which was formerly a bank. The applicant had requested permission to convert the existing building without significant exterior alterations for use as a mortuary. Fire Department regulations would limit the number of people permitted in the building at any one time to 49 individuals. He proceeded with his presentation as follows:

"If an agreement can be reached with the City Parking Authority, the underutilized city-owned 15-space parking lot adjacent to the building could be used for visitor parking and for the formation of funeral processions. In such case, most processions would proceed directly onto Mendell Street from the parking lot and then west on Oakdale Avenue to the freeway. These processions would probably consist of a maximum of 12 vehicles. Alternatively, the applicant has received an option to lease or buy a 50 X 100-foot vacant lot in a C-2 district located less than 100 feet west of Third Street on Oakdale Avenue to develop as a parking lot. In this case, the funeral procession would form in this lot and then exit directly onto Oakdale Avenue, and proceed westerly to the freeway."

President Newman asked if anyone was present in the audience in opposition to the subject application and received a negative response.

Mr. Steele recommended that the application be approved subject to four specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. He emphasized that Condition No. 4 of the draft resolution would limit the authorization to a period of five years from the effective date of the resolution. That five year term would coincide with the five-year lease on the property held by the applicant; and it would permit the Commission to re-evaluate the desirability of such a use at the center of a commercial district at the end of that period.

Commissioner Porter suggested that an additional condition should be added to the draft resolution specifying that any non-directional identifying sign should be flush with the building.

Mr. Steele agreed that such a condition would be appropriate and recommended that the draft resolution be amended as suggested by Commissioner Porter.

President Newman asked if the conditions in the revised draft resolution would be acceptable to the applicant. A representative of the applicant replied that he would prefer that the condition limiting the authorization to a period of five years be modified so that the authorization would remain in effect for at least ten years.

Commissioner Finn inquired about the nature of the lease held by the applicant. Mr. Steele replied that the applicant has a five-year lease on

the property with an option to renew the lease for an additional five years. The lease also gives the applicant an option to purchase the property at any time.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Finn, and carried unanimously that the draft resolution, as recommended and modified by Mr. Steele, be adopted as City Planning Commission Resolution No. 7286.

The meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, November 14, 1974.

The City Planning Commission met pursuant to notice on Thursday, November 14, 1974, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John Ritchie, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning, George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Wayne Rieke, Planner IV (Zoning); Charna Staten, Planner III; William Duchek, Planner III; Janis Birkeland, Planner III-Urban Design; Alan Billingsley, Planner II; Paul Rosetter, Planner II; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, advised the Commission that the Street and Transportation Committee of the Board of Supervisors is scheduled to hold a hearing on the proposed Subdivision Ordinance next Thursday, November 21.

Mr. Murphy informed the Commission that two committee meetings are scheduled next Thursday. The Neighborhood Plans Committee (Commissioners Rueda, Fleishhacker, and Ritchie) will meet at 1:30 p.m.; and the Implementation Committee (Commissioners Fleishhacker, Porter, and Rueda) will meet at 2:00 p.m. The Regular Meeting of the Commission will commence at 2:15 p.m.

Charna Staten, Planner III, reported on the current status of the Environmental Protection Agency's promulgation regarding parking management regulations, as follows:

"Under the authority and mandate of the Clean Air Act, EPA has over the past year promulgated several programs to control air pollution from automobiles and other mobile sources. These programs use land-use and transportation controls to supplement direct emissions controls on these sources (such as smog control devices on cars), and are applied by EPA in areas where the health-based National Ambient Air Quality Standards can be met in no other way - San Francisco Bay Area is one of these areas.

"Two programs of importance to the city of San Francisco are: Indirect Source Review; and 2) Parking Management.

"Indirect Source Review refers to review of air quality impacts of traffic-stimulating facilities (the things people drive to, from, or upon) such as shopping centers, industrial parks, airports, amusement parks, highways, etc. EPA has promulgated regulations controlling indirect source review, and unless the Air Pollution Control District accepts delegation of this review by January 1, 1975, EPA will review all indirect sources over a certain size (generally measured by number of parking spaces or number of trips generated--for example, 1000 parking spaces). In most cases, development in San Francisco is not large enough to require review. The process the review will take is not yet clear, but it is likely that review could take place in the context of the EIR process.

"Another part of the Transportation Control Plan concept promulgated by EPA is Parking Management. Since California did not at first comply with the EPA requirement for a Transportation Control Plan, EPA proposed a plan for the state which was basically unacceptable and was withdrawn by EPA. This earlier plan included the controversial parking surcharges. MTC has since assumed the responsibility for compiling a Transportation Control Plan for the Bay Area, of which a Parking Management Plan would be a part.

"The purpose of Parking Management is to consider and attempt to minimize the negative effects of parking on areawide Vehicle Miles Traveled (1 to reduce the areawide growth in VMT so as to contribute to the achievement of photochemical oxidant and/or carbon monoxide standards; and (2 to assure that congestion associated with the operation of a new parking facility does not cause or exacerbate a violation of carbon monoxide standards.

"Parking Management can be done in two ways, according to EPA regulations - facility-by-facility review, or by establishing a Parking Management Plan against which any new facilities would have to be reviewed. Generally facility-by-facility review would be done by EPA (for all facilities over 250 spaces) starting July 1, 1975, unless a Parking Management Plan is done by a region or a locality. EPA prefers not to do facility by facility review, and as an incentive for a PMP, has given a grant of \$150,000 to MTC to do a regionwide PMP.

"The staff is in the process of working out the City's participation in the parking plan and the arrangements for the funding with MTC and with DPW, who will work with us. We see the money being used to fund a person on the City Planning Department's staff and a person on DPW's staff to assist in the development of the plan. We will report back to you as work progresses."

During the course of Ms. Staten's report, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

George A. Williams, Assistant Director-Plans and Programs, called attention to the fact that the Mission Housing Development Corporation had transmitted to the Commission a proposed plan for the Inner-Mission District. The Corporation had also requested that it be given an opportunity to make a formal presentation of the plan to the Commission; and that presentation had tentatively been scheduled for the Commission's meeting on December 12.

President Newman noted that the letter which he had received from the Mission Housing Development Corporation had indicated that they wished to have their plan adopted as a part of the Master Plan of the City and County of San Francisco; and he asked if the staff intended to make recommendations concerning the incorporation of the plan in whole or in part in the Master Plan. Mr. Williams replied in the affirmative, indicating that the staff might also recommend that the plan be approved in principle as the policy of the Commission as was done with the Haight-Ashbury Plan which was prepared by the staff of the Department of City Planning.

Mr. Williams then distributed copies of a newsprint publication entitled "Traffic In Neighborhoods" which had been prepared by the staff of the Department of City Planning to assist neighborhood groups in planning traffic controls for their own residential neighborhoods. He stated that 5,000 copies of the publication had been printed for approximately \$200; and he advised the Commission that the staff intended to prepare similar publications dealing with street tree planting, the Rehabilitation Assistance Program, and other similar topics.

REVIEW OF ST. FRANCIS HOSPITAL MASTER PLAN

President Newman made the following introductory comments:

"The purpose of the hearing today is to provide an opportunity for the City Planning Commission and the general public to review the proposed Master Plan for the development of the St. Francis Hospital medical complex in a residentially zoned district on the south side of Nob Hill.

"Today's hearing is to give an opportunity for the hospital to inform us of its needs and objectives in providing medical care, and an opportunity for the audience, and Commission and its staff to express opinions and concerns regarding the hospital's proposals.

"Today's review, and the comments made, will not constitute endorsement of the development proposals contained in the plan, nor give permission for any work not already granted conditional use authorization by the Commission. It is hoped that through this early review process concerns may be resolved prior to heavy investment in specific design proposals and final presentations by the hospital before this Commission.

"Presently the hospital is operating as a conditional use under plans reviewed and approved by the Planning Commission in 1964. In its presentation today the hospital should relate its long-range plans and short-range plans to the existing authorization, and explain the reasons for, and probable impacts of, any proposed modifications of the previous authorization.

"The Commission has received a letter from Mr. Covert, Chairman of Nob Hill Neighbors, requesting a 30-day delay to this scheduled review to provide additional opportunity for review of the proposed Master Plan. In that today's review will not constitute endorsement of the proposed plan, I believe that it is appropriate to proceed with the presentation of the plan. The review of the proposal will not cease with the ending of today's hearing, but in a sense only commences at this time. Additional comments may be made in writing to the Commission and its staff after the close of today's hearing."

President Newman then read the letter which had been received from Mr. Covert, as follows:

"Since Comprehensive Health Planning has not had time to review the need for the proposed facilities, we ask that a 30-day delay be granted until the council has had time to review the proposal.

"The plan calls for the destruction of 52 units of housing which does not seem like the course of action that should be approved at this time.

"The plan does not address itself to much needed open space that is sorely lacking in that neighborhood as designated in the Planning Department's Recreation and Open Space, The Comprehensive Plan of San Francisco. We urge the planner involved in this process to consider the use of at least one of the tops of the proposed buildings to be used at PUBLIC OPEN SPACE."

After discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the Commission proceed with the presentation as scheduled and that it deny the request made by Mr. Covert for a 30-day postponement.

Commissioner Porter stated that she had been advised by a member of the Comprehensive Health Planning Council that the staff of the Department of City Planning had requested that board to comment on the project being contemplated by St. Francis Hospital. However, since the proposed project would not involve the addition of any new hospital beds, she felt that the City Planning Commission should assume full responsibility for deciding whether the new facility would be appropriate rather than asking the Comprehensive Health Planning Council to comment on something over which it has no jurisdiction.

Commissioner Fleishhacker stated that he could see no reason why comments concerning the proposed project should not be solicited from the Comprehensive Health Planning Council. After all, the purpose of the proposed facility would be to provide health care. Otherwise, the proposed office building would not be an appropriate development in a residential district. He emphasized that the City Planning Commission would not be bound by any recommendations which the Comprehensive Health Planning Council might make; however, since the Council does have competence in the field, he felt that it would be appropriate to consider any comments which it might wish to offer.

Commissioner Rueda inquired about the time-table for the proposed development. Robert Passmore, Planner V (Zoning), replied that no applications had been filed with the Department of City Planning thus far; and, as a result, he estimated that the matter would be pending for several months, thus allowing sufficient time for interested individuals and groups to make comments and suggestions regarding the proposal.

Commissioner Mellon stated that he did not feel that the Commission should ignore the advice of the Comprehensive Health Planning Council; but he was of the opinion that the comments offered by that group should not be given more attention than comments offered by other citizens or groups.

Commissioner Porter emphasized that the new medical office building which was being proposed would replace an existing medical office building.

Donald D. Doyle, President of St. Francis Hospital, reviewed the history of the hospital and advised the Commission that 30% of the hospital's patients are on Medi-care, that 10% of the patients are under Medi-cal, and that the balance of the patients come from the immediate neighborhood, the city as a whole, and from areas outside of the city. He confirmed that the Comprehensive Health Planning Council has no jurisdiction over the proposed project; however, that board had been informed of the hospital's proposed program. He stated that St. Francis Hospital had already invested \$34,000,000 in its existing facilities; and he indicated that the development proposed in the Master Plan would involve expenditure of additional funds in the amount of \$20,000,000.

Walter Costa, representing Skidmore, Owings and Merrill, architects for St. Francis Hospital, described the existing facilities of the hospital and summarized the proposed Master Plan which would involve two phases of construction. During the first phase, a new medical office building and garage would be built on the southwest corner of Pine and Hyde Streets, and a new four story addition to the hospital would be constructed at the northeast corner of Hyde and Bush Streets which would contain a new ambulatory care center and other diagnostic and treatment facilities. During the second phase of construction, additional office space and parking facilities would be provided at the northwest corner of Hyde and Bush Streets where the present medical office building now stands. He advised the Commission that the hospital also plans to provide commercial space along the west side of Hyde Street between Bush and Pine Streets; and he noted that such development would require reclassification of that property to R-5-C. He also indicated that the hospital intended to construct a pedestrian bridge across Hyde Street at a height of 14½ or 15 feet above grade to link the proposed medical office building with the hospital. Construction of that bridge would have to be approved by the Board of Supervisors; but he felt that it was essential that that approval be obtained so that patients in wheelchairs or on gurneys would not have to cross the street at grade. He stated that approximately 345 off-street parking spaces would be provided below grade; and he indicated that a traffic study which had been undertaken for the hospital by Wilmer Smith and Associates had concluded that slightly more than 300 off-street parking spaces would be sufficient to serve the proposed facilities.

Commissioner Porter asked how many doctors would be housed in the new medical office buildings. Mr. Costa replied that approximately 73 doctors would be housed in the building to be constructed during the first phase of development; and he indicated that a comparable number of doctors are housed in the present medical office building. Approximately 30 or 35 additional doctors would be accommodated in the building to be constructed during the second phase of development.

Commissioner Porter then asked why it would not be possible for the hospital to construct an underground passage to link the medical office building with the hospital building rather than building an overhead bridge. Mr. Costa stated that the possibility of an underground passageway had been considered; however, for several reasons, such an alternative would be undesirable or infeasible. An underground passageway would not be as convenient as an overhead bridge since it would require patients to use elevators at both ends. Security would also be a concern if the tunnel alternative were undertaken. In any case, it would be economically infeasible to construct an underground passageway between the two facilities since the tunnel would have to be at least 20 feet below grade in order to avoid conflict with utility ducts; and the cost of boring such a tunnel would be prohibitive. Therefore, if the overhead bridge were not approved, patients would have to cross the street at grade; and such an alternative would be undesirable.

Commissioner Fleishhacker, remarking that the proposed medical office building would merely replace an existing medical office building, asked why the decision had been made to demolish the existing building. Mr. Costa replied that the existing building is antiquated, inefficient and that it involves extremely high maintenance costs.

Commissioner Fleishhacker then noted that Mr. Costa had stated that the proposed overhead bridge would be used by patients, some of whom would be in wheelchairs or on gurneys. However, he doubted that patients would arrive at the medical office building on gurneys; and those who are able to enter in wheelchairs should be able to cross the street at grade. He then asked how the hospital intended to use the vacant parcel of property on the south side of Bush Street which is presently used as a surface parking lot. Mr. Costa replied that the hospital presently has no plans for that parcel of property. The Nob Hill Association had suggested that the property be used for construction of relocation housing; however, he believed that the 58 people presently residing in the apartment building which would be demolished to enable construction of the new medical office building would be able to find other housing in the neighborhood.

President Newman asked if the commercial uses which will be proposed for the west side of Hyde Street would be hospital-oriented. Mr. Costa replied that most of the commercial uses would probably not be hospital-oriented in a direct sense. Those uses would probably include a pharmacy, a bank, and a cafeteria. In reply to a further question raised by President Newman as to whether the commercial uses might attract additional automobile traffic to the area, Mr. Costa replied that the proposed bank would probable generate more automobile traffic than the other commercial uses.

Commissioner Porter asked if hospital planners have established any ratio between the number of doctors who should be housed in a medical office building adjacent to a hospital and the number of beds in the hospital. Mr. Costa replied that physicians generally prefer to have their offices in a building which is adjacent to a hospital which cares for their patients; however, some specialists might wish to have their offices in the proposed building because of the proximity of treatment facilities even though they might not have many patients in the hospital.

Commissioner Mellon observed that a high percentage of the doctors having offices in the proposed office building would probably be performing most of their practice at St. Francis Hospital.

Mr. Doyle noted that the eleventh floor of the new hospital building, which will accommodate an additional 40 beds, is still vacant; and, when those beds are provided, additional doctors will probably wish to relocate their offices to the new medical office building.

Mr. Costa stated that the apartment buildings which will be demolished for construction of the new medical office building are presently approximately 90% occupied. However, since the immediate neighborhood has a 5% vacancy factor, he felt that it would be possible for the 58 residence of the apartment buildings to relocate in the area. Besides expressing concern about the relocation of those people, the Nob Hill Association had also suggested that greenery and open space should be provided on the roof of the proposed facility; however, such development would be difficult because of the mechanical penthouses and because of access problems.

Commissioner Mellon asked if St. Francis Hospital presently owns the properties which are occupied by the apartment buildings. Mr. Costa replied in the affirmative.

Mr. Rebolini, owner of property on the south side of Pine Street adjacent to the property owned by St. Francis Hospital, advised the Commission that a convalescent hospital recently constructed on the west side of his property had caused foundation problems for his building; and he feared that excavation of St. Francis Hospital's property on the east side of his property might also harm the stability of his building. President Newman advised Mr. Rebolini that St. Francis Hospital would have a legal obligation to protect or repair his building.

Joe Troy Jr. stated that his father owns properties at 986 and 988 Sutter Street that are developed with commercial buildings which depend on residents of the area for their business; and he felt that the demolition of apartment buildings housing 58 residents would have a detrimental effect on those businesses. Furthermore, in view of the fact that the population of San Francisco has declined, he felt that St. Francis Hospital should consider relocation to areas where the people have moved instead of proposing expansion of its existing facility. He believed that the project being proposed might require additional City services which would affect the tax rate; and he questioned whether St. Francis Hospital pays taxes or enjoys tax exempt status as a non-profit corporation. He also expressed concern that construction of large buildings on the slope of a hill may affect the stability of structures lower on the hill be causing ground movement.

In reply to a question raised by President Newman concerning the tax status of St. Francis Hospital, Mr. Doyle replied that the hospital itself is tax exempt but that the parking facility and the medical office building would have to pay taxes.

Edith Witt, representing the Human Rights Commission, remarked that the new medical office building would be completed before the doctors housed in the existing medical office building would be required to move; and she felt that the residents of the existing apartment buildings should enjoy the same consideration and that they should not be required to move until a replacement residential building is available. While Mr. Costa had stated that residential buildings in the subject neighborhood have a 5% vacancy rate, she noted that a report published by the Department of City Planning in 1973 had indicated that the vacancy rate for studio apartments in downtown San Francisco is approximately 3.8%. Furthermore, the staff report had noted that most of those vacancies are in newer buildings with higher rental rates. While she acknowledged that apartment buildings do have a turnover rate, she expressed the opinion that there is not a surplus of housing in downtown San Francisco or anywhere else in the City. At the same time, a large number of existing residential units are threatened with demolition. Before the proposed development is authorized to proceed, she felt that the applicant and the Commission should address themselves to the issue of relocation of the residents of the existing apartment buildings and preservation of the City's housing stock.

Sue Hestor stated that she had lived within two blocks of St. Francis Hospital approximately 4 years ago; and, as a result, she was aware of the real shortage of housing in the area. Within a two block radius of the building in which she had lived, at least five residential buildings had been demolished and replaced with commercial uses; and she surmised that additional residential buildings had been demolished in the intervening years. Under the circumstances, she was concerned about St. Francis Hospital's proposal to demolish 52 additional dwelling units in the area. She also felt that the Commission's responsibility should extend beyond the provisions of the City Planning Code and should address itself to the complex human problem of attempting to achieve a balance between the medical needs and the housing needs of the community; and she believed that it would not be possible for the Commission to achieve such a balance without seeking expert advice from a group such as the Comprehensive Health Planning Council which should be able to advise the Commission whether there is really a need for the medical facility being proposed. She remarked that several other hospitals in San Francisco are contemplating large expansion projects; and, if it turns out that the City's medical facilities are "over built", that situation would have a bad effect on the cost of the medical care provided to members of the community. While she recognized that the City Planning Commission has no legal responsibility for notifying tenants that conditional use applications are to be considered and that notices must be sent only to neighboring property owners, she believed that the Commission should feel a moral obligation to give notice to tenants, also. Although the staff of the Department of City Planning might post notices on telephone poles, such notices are not generally noticed by people in a hurry or by people with poor eye sight; and she believed that tenants who are to be directly affected by actions contemplated by the Commission should be sent personal notices of the hearings at which such actions are to be considered.

Commission Porter asked Miss Hestor what position she felt that the tenants of the buildings to be demolished might have taken if they have been present at today's meeting. In reply, Miss Hestor stated that she expected that most of the tenants would have been concerned about the problem of finding a new apartment at a rent they could afford in the neighborhood.

President Newman remarked that residents of other neighborhoods had complained that hospitals in their areas had little relevance to the needs of the surrounding neighborhood; however, he was impressed by the fact that St. Francis Hospital has a very large out-patient clinic which is probably of considerable benefit to the subject neighborhood. Commissioner Mellon added that the only other hospital available in a southerly direction from St. Francis Hospital is San Francisco General Hospital.

Terry Covert, representing the Nob Hill Neighbors, confirmed that the out-patient facilities at St. Francis Hospital are exceptionally good. He then noted that Mr. Costa had stated that the present medical office building at St. Francis Hospital is "obsolete"; and he wondered what was meant by the use of that word. Mr. Costa replied that more than \$750,000 had been spent during the last few years to remodel the existing office building so that the doctors which it houses could be induced to remain. He stated that St. Francis Hospital cannot serve the community without a staff of outstanding doctors; and he indicated that such doctors will be unavailable unless modern office space is provided.

Mr. Covert stated that he was concerned about the current attitude which leads people to tear down old buildings and to replace them with new structures instead of trying to preserve what we already have; and he emphasized that we do not have an unlimited supply of resources. He stated that he did not know whether additional medical office buildings are really needed in the subject neighbor; and, even if such offices are needed, he questioned whether that need would warrant the demolition of low- and moderate-priced housing. Another question which remained unresolved in his mind was whether doctors wished to have their offices located close to hospitals merely for their own convenience or to help them serve their patients better. As a resident of the City, he hoped that the City's neighborhoods can become good places to live without constant dirt, noise, and parking problems. In that regard, he noted that the case report which had been prepared by the staff of the Department of City Planning relative to the St. Francis Hospital's Master Plan had indicated that the staff had estimated that the parking demand which would be generated by the proposed facilities would approximate 556 off-street parking spaces; and, while the number of off-street parking spaces proposed by the hospital would exceed the number actually required by the City Planning Code, they would be inadequate in terms of the staff's estimate of demand. He also remarked that the subject neighborhood has many older people who have little or nothing to do with their spare time; and he felt that the proposed project would provide an excellent opportunity for St. Francis Hospital and the neighborhood to work together to provide open space and recreational space on the roof tops of the new buildings.

Commissioner Mellon, noting that one of the new medical office buildings would have a height of five stories above grade whereas the building to be constructed during the second phase of the project would rise only three stories above grade, asked if there were any reasons for the difference in height between the two buildings. Mr. Costa replied that the height difference had resulted largely as a matter of architectural design. Additionally, however, there was some question as to whether the additional office space which would result from the construction of two five story buildings would be marketable.

Commissioner Porter remarked that she was familiar with the existing medical office building and indicated that she regarded it as one of the most outmoded medical office building which she had ever visited.

Commissioner Fleishhacker asked when the existing medical office building was constructed. A representative of St. Francis Hospital replied that one wing of the building was constructed in 1917 and that the other wing was constructed in 1925. Mr. Costa added that the building does not structurally meet current code regulations.

Commissioner Porter asked if St. Francis Hospital had given any thought to making an effort to rehouse the people who are to be dislocated from the apartment buildings which are to be demolished. Mr. Costa replied that the hospital had no plans for constructing a new apartment building; however, he believed that the staff of the hospital would try to help residents of the apartment buildings to find new accommodations in the neighborhood at a comfortable price.

Commissioner Fleishhacker, remarking that the most controversial elements of the proposed project seemed to be the destruction of the existing apartment buildings and the construction of an overhead pedestrian bridge across Hyde Street, asked if the hospital had considered alternate ways of using its land to achieve its objectives. One possibility which occurred to him would be to use the property on the northeast corner of Hyde and Bush Streets more intensively than was being proposed.

Mr. Costa stated that any new building constructed on that site would be directly connected with the hospital and would have to comply with State standards for hospital construction. As a result, if the medical office building were to be constructed on that site, it would be more expensive than if it were to be constructed on the opposite side of the street. The hospital had therefore decided to construct a purely medical facility on the property adjacent to the hospital; however, while the building initially being proposed would be low in height, it would be designed so that additional floors could be added in the future.

Commissioner Finn, noting that the City is committed to a "transit first" policy, questioned why the hospital was proposing to construct 49 more off-street parking spaces than would be required by the City Planning Code. Mr. Costa replied that the number of off-street parking spaces proposed has resulted from a study which had been made for the hospital by Wilbmer Smith and Associates; and, in view of the fact

that no other off-street parking facilities are available in the neighborhood, he did not believe that the number of spaces being proposed would be excessive. He also noted that the staff of the Department of City Planning had estimated that the proposed project would create a need for more than 500 off-street parking spaces.

Commissioner Mellon asked if the hospital would be willing to reduce the number of parking spaces being proposed to the number actually required by the City Planning Code. Mr. Costa replied that such a reduction would be feasible within the same building configuration. Such an approach would provide wider parking stalls and wider aisles and would be safer and more convenient.

Commissioner Finn remarked that a decrease in parking spaces would also contribute to better health and better quality of life by reducing smog and noise.

Mr. Passmore summarized the comments and concerns which had been expressed by the members of the public and members of the Commission and stated that these matters would be given consideration by the staff of the Department of City Planning prior to the time that any formal applications filed by the hospital are scheduled for hearing. He asked if St. Francis Hospital had notified tenants of the apartment buildings which are to be demolished of today's hearing. Mr. Doyle replied in the negative but assured the Commission that the hospital would give tenants of the buildings at least six months' notice before they are evicted.

Mr. Passmore suggested that it would be appropriate to give notice of the Commission's next hearing on this matter to tenants of the buildings so that they will be aware of the process being followed. In response to a question raised by President Newman relative to the approximate date on which the formal applications will be considered, Mr. Passmore replied that the timing would depend largely on the hospital and its architects.

Commissioner Porter asked if St. Francis Hospital could legally demolish the apartment buildings which it owns for a parking lot or for some other purpose without the approval of the City Planning Commission. Mr. Passmore replied in the affirmative.

At 3:55 p.m. the Commission recessed and reconvened in executive session to discuss the selection of a new Director of Planning.

The meeting was adjourned at 5:00 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

SAN FRANCISCO
CITY PLANNING COMMISSION
MINUTES AND SUMMARY OF THE REGULAR MEETING
THURSDAY
NOVEMBER 21, 1974
100 LARKIN STREET
2:15 P.M.

PRESENT: Commissioners Finn, Fleishhacker, Mellon, Newman,
Porter, Ritchie, Rueda.

2:15 P.M. - Field Trip

1. Executive Session - The Commission discussed the Selection of the New Director of Planning.
2. Members of the Commission and staff departed from 100 Larkin Street to take a field trip to properties scheduled for consideration during the Zoning Hearing to be held on December 5, 1974.

Adjourned: 4:00 p.m.

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SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 5, 1974.

The City Planning Commission met pursuant to notice on Thursday, December 5, 1974 at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Virgil L. Elliott, James J. Finn, Mortimer Fleishhacker, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The Staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); George A. Williams, Assistant Director-Plans and Programs; Richard Gamble, Planner IV; Wayne Rieke, Planner IV (Zoning); Lucian Blazej, City Planning Coordinator; Edward Michael, Planner III; Marie Zeller, Planner III (Administrative); Alan Billingsley, Planner II; Marcy Lifton, Planner I; and Lynn E. Pio, Secretary.

Donald Canter represented the San Francisco Examiner; Larry Liebert represented the San Francisco Chronicle; and Dan Borsuk represented the San Francisco Progress.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Fleishhacker and carried unanimously that the minutes of the meetings of October 3, 10, and 31 and November 21, 1974, be approved as submitted.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, advised the Commission that the Board of Supervisors, at its meeting on November 25, had adopted a resolution disapproving the Commission's approval of Conditional Use Application for an automobile wrecking yard at 1360 Army Street. In taking that action, the Board had requested the Department of City Planning to work with other public and private agencies to find a suitable alternate site for the automobile wrecking yard.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator) informed the Commission that Judge Ira Brown had issued a Notice of Intended Decision in the St. Mary's Hospital case on November 19. The decision was to grant a writ of mandate against the project; and the court's notice stated the reasons briefly as follows:

- "1. The Environmental Impact Report is inadequate because it does not properly deal with or consider traffic and parking problems, alternatives to the project, and the availability of utilities.
- "2. Real party in interest does not presently own sufficient acreage to qualify for a conditional use under the Planning Code.
- "3. The proposed structure does not qualify as a hospital so as to exempt it from the R-3 zoning requirements."

Mr. Steele stated that it was difficult to understand those reasons or their implications without some elaboration; and, therefore, the City Attorney had requested more detailed findings from the court. He stated that he did not know whether such findings would be issued. If the judge's opinion is to be appealed, that action will have to be taken by St. Mary's Hospital as the real party in interest.

Mr. Steele informed the Commission that its approval of building permit applications for 3 unit buildings at Turk and Stanyan Streets and at Turk and Rossi Streets had been sustained by the courts.

Mr. Murphy summarized the contents of twelve policy resolutions previously adopted by the City Planning Commission which have since been superceded or otherwise nullified; and, after explaining why the policy resolutions are no longer necessary or valid, he recommended that the Commission adopt a draft resolution which he had prepared to rescind them.

During his report, Commissioners Finn and Rueda arrived in the meeting room and assumed their seats at the Commission table.

After discussion, it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 7269 and that the twelve previously adopted policy resolutions be rescinded.

President Newman stated that he had received two letters requesting that funds from the City's new Recreation and Open Space Acquisition Fund be used to purchase a wooded lot located at 1330 Clay Street; and he requested the staff to transmit the letters to the Recreation and Park Commission. He also indicated that the Commission had received a communication from the National Organization of Women objecting to use of male gender pronouns in the published statement of procedures to be followed in considering the appointment of a new Director of Planning.

R74.12 - TRANSFER OF PARCELS LAND IN LINCOLN PARK AND FORT MILEY
TO THE GOLDEN GATE NATIONAL RECREATION AREA.

Richard Gamble, Planner IV, reported on this matter as follows:

"The proposed transfer of City lands to the Golden Gate National Recreation Area has been referred for Master Plan conformity by the Director of Property.

"GGNRA, as approved by resolution of the Board of Supervisors and charter amendment by the voters, will incorporate City-owned Fort Funston, Ocean Beach, Sutro Heights Park, Fort Miley (portion), Lincoln Park (portion), Marina Green and Small Craft Harbor, Aquatic Park and Municipal Pier, in addition to State and Federal holdings nearby and in the Marin headlands.

"The transfer of these properties will be spaced over a number of years due to complications such as the City's planned sewage treatment facilities and paying off the bonds which purchased Fort Funston. At this time the City is prepared to transfer the westerly portion of Fort Miley and the northerly portion of Lincoln Park, excluding the golf course and Palace of the Legion of Honor. Sutro Heights Park was originally to be included in this transfer; however, due to limited current funding for maintenance and possible need for major repairs to the cliff wall, GGNRA has requested a delay in the park's transfer.

"The Plan for Recreation and Open Space was prepared before the creation of GGNRA; however, public hearings and adoption of the plan followed it. The plan, as modified after hearings, specifies additions to GGNRA in Fort Funston, Fort Miley and Fort Mason, implying endorsement of the larger project. The concepts of the GGNRA are in accord with the Western and Northern Shoreline Plans."

Edward I. Murphy, Acting Director of Planning, recommended that the transfer of jurisdiction over the parcels be approved as in conformity with the Master Plan.

Commissioner Fleishhacker asked if any of the city-owned land which will be transferred is developed with any improvements. Jack Wheat, representing the Golden Gate National Recreation Area, replied that he was aware of only one improvement, that being the memorial at Lands End.

Commissioner Fleishhacker then asked if the City would lose all control over future development of the properties if the jurisdictional transfer were to take place. George A. Williams, Assistant Director-Plans and Programs, stated that the City and the Federal Government had prepared a memorandum of understanding which had been endorsed by the Commission and which had specified that the Federal Government would give consideration to the City's reaction to any developments which might be proposed. Furthermore, he indicated that the deed transferring jurisdiction over the parcel to the Federal Government would specify that the property should be used for Open Space and Recreational purposes only.

Commissioner Porter asked if the Federal Government would be responsible for maintenance of the properties to be transferred to its jurisdiction. Mr. Williams replied in the affirmative.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Rueda and carried unanimously that the Acting Director be authorized to report that transfer of parts of Fort Miley and Lincoln Park, as shown on the map of Sutro Heights, Sutro Baths, Cliff House, Shore Lands and Richmond Blocks and Lots, prepared by A.S. Baldwin in 1910 with the parcels to be transferred in heavy ink outlines added by the Real Estate Department, except Sutro Heights Park, is in conformity with the Master Plan.

R74.28 - VACATION OF PORTIONS OF MERRIE WAY AND 48TH AVENUE WITHIN
GOLDEN GATE NATIONAL RECREATION AREA.

Richard Gamble, Planner IV, reported on this matter as follows:

"This referral is a companion action to R74.12 (GGNRA Land Transfer) but originates from the Director of Public Works.

"Within the areas being transferred to GGNRA are two public streets, Merrie Way and 48th Avenue. The street vacation is necessary in order to be able to effect the transfer. The streets do not contain any city utilities except for a sewer outfall tunnel beneath 48th Avenue. An easement for the tunnel will be retained by the City.

"The policies for conservation relative to vacating streets in the Urban Design Plan. are favorable where vacation is 'necessary for a significant public of semi-public use.' Also, conservation policy relative to natural areas is geared to preserve natural areas in their undeveloped state. Vacation of these streets would therefore conform to Master Plan policy."

Edward I. Murphy, Acting Director of Planning, recommended that the vacation of the subject street areas be approved as in conformity with the Master Plan.

No one was present in the audience to be heard on this matter.

After discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Acting Director be authorized to report that the vacation of portions of Merrie Way and 48th Avenue, as shown on Bureau of Engineering Map SUR-874, is in conformity with the Master Plan.

R74.49 - LAND ACQUISITION FOR NORTH POINT SEWAGE TRANSPORT PROJECT
AND CHANNEL STREET PUMPING STATION, AND VARIOUS EASEMENTS IN
SOUTHEAST INDUSTRIAL DISTRICT.

Richard Gamble, Planner IV, reported on this matter as follows:

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF THE HISTORY OF ARTS
OFFICE OF THE CURATOR OF THE MUSEUM OF ARTS
CHICAGO, ILLINOIS

TO THE HONORABLE THE PRESIDENT OF THE UNIVERSITY OF CHICAGO
FROM THE CURATOR OF THE MUSEUM OF ARTS
CHICAGO, ILLINOIS

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"The Director of Property has forwarded a proposal to acquire land and easements for the construction of the above project for Master Plan conformity review.

"The North Point Sewage Transport Project is the first step in the implementation of the City's Waste Water Master Plan. The Commission approved the Environmental Impact Reports for this project and Master Plan on May 24, 1974.

"The transport system will convey dry weather sewage from the North Point plant to the Southeast Sewage treatment plant, allowing the conversion of North Point for wet weather treatment. Principal elements of the project are (1) a pump station beneath Kearny Street next to North Point, (2) a 36-inch diameter 'force main' (under pressure from the pumps) beneath Francisco, Montgomery and Chestnut, (3) continuation of the 36-inch main within the 3-1/2 feet diameter existing North Point main, upstream on Sansome, Sutter, Ecker, Stevenson, Second, Mission, Fourth, and Howard to 7th Street, (4) continuation of the main southerly on 7th Street in a new trench to (5) a new Channel Street pumping station, (6) modifications to the North Point Main which would divert most flows southwesterly of 5th Street to the Division Street outfall and the Berry Street intercept, (7) modification of the existing pump station at 4th and Berry with a new 24-inch force main down Berry Street to the new Channel Street pump station at 7th Street, (8) a 66-inch force main combining flows from 7th, Berry and Division Street mains and running to the Southeast plant via Owens Street, along an easement through the SP industrial park, Indiana Street, Army Street, beneath Southern Embarcadero Freeway and along an easement beside the SP tracks, and Galvez Avenue.

"This referral is concerned with acquisition of Channel Street pump station site (#5 above); easements through the SP industrial park, across the Western Pacific tracks at Army Street, and alongside the Southern Pacific tracks from Evans to Galvez (#3 above) and a second easement at Army Street which provides access to a site previously approved by the Commission for a sewage retention basin.

"The location of sewer easements does not normally affect the Master Plan unless there is some impact upon the use of the area traversed. In this case the easements are located so as to not conflict with existing or planned development, hence they do not affect the Master Plan.

"The Channel Street pump station site is on Berry Street 162 feet east of 7th Street. The Division Street outfall empties into the channel

at this point. This flow, in dry weather, will be intercepted into the pumping station, hence the triangular configuration of the southerly boundary of the station site. The rectangular portion of the site measures 240 x 263 feet.

"This area is zoned M-2, heavy industry. The Master Plan indicates industrial use in the area, hence the pump station is compatible from all land industrial use in the area, hence the pump station is compatible from a land use point of view. The Plan for Recreation and Open Space calls for public access along the edges of the channel, with recreational development in the vicinity of 4th Street.

"The pump station building will occupy the easterly portion of the site and will be 115 x 125 ft. and 35 ft. high. The southerly portion of the site will contain a fenced yard above influent channels and screening mechanisms. Along the channel will be a 15-ft. wide promenade with trees, connected to Berry Street with a walkway through the landscaped area surrounding the station. The landscape design implies future extension of the walk around the end of the channel. Because the strip of land along the south side of the channel is Port property, the prospect of extending the walk up to 4th Street in the reasonably near future is good. It is recommended that the walk be part of the initial landscaping."

Edward I. Murphy, Acting Director of Planning, recommended that he be authorized to report that acquisition of easements for North Point Transport Project would not affect the Master Plan and that the acquisition of land for construction of the Channel Street Pumping Station be approved as in conformity with the Master Plan provided that the walkway shown on the plans for the proposed facility be extended southerly around the end of the channel as part of the initial pump station construction.

No one was in the audience to be heard on this matter.

President Newman, noting that the proposed project would constitute the initial phases of a program which would eventually cost more than one billion dollars, asked if he were correct in understanding that most of the money for the project would be provided by the Federal Government. Tony Rando, representing the Department of Public Works, replied that 87 1/2% of the funds would be obtained from Federal and State sources and that the balance of the funds would be provided through the local bond issue.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Porter, and carried unanimously that the Acting Director be authorized to report that acquisition of easements for the North Point Transport Project, as shown on Bureau of Engineering

Drawing SUR-1974, Sheets 1, 2 and 4 does not affect the Master Plan and that the acquisition of land as shown on Sheet 3 of Drawing SUR-1974 and the construction of the channel pump station as shown on the planting plan are in conformity with the Master Plan provided that the walkway shown on the plan be extended southerly around the end of the channel as part of the initial pump station construction.

PRESENTATION OF PROPOSED WORK PROGRAM AND BUDGET FOR THE DEPARTMENT OF CITY PLANNING FOR YEAR 1975-76

Commissioner Porter, Chairman of the Budget and Personnel Committee of the Commission, requested the staff to summarize the proposed Work Program and Budget. The report was made by Edward I. Murphy, Acting Director of Planning, George A. Williams, Assistant Director-Plans and Programs, R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), and Lynn E. Pio, Administrative Secretary.

Commissioner Ritchie stated that he was disturbed by the fact that the proposed budget involved a request for additional funds. In view of the current inflationary trend, appeals have been made to private businesses, as well as governmental agencies to reduce costs. He stated that he had been able to reduce the overhead cost of his own business; and he felt that government, also, should be able to reduce its expenditures. He believed that the budget which had been submitted by the staff of the Department of City Planning reflected no real effort to reduce expenditures; and he indicated that he was opposed to the staff proposal.

After further discussion, consideration of this matter was continued until the Commission's Regular Meeting on December 19.

3:00 P.M. Zoning Hearing

CU74.58 - 9 AND 11 GIRARD AVENUE, SOUTHEAST CORNER OF SILVER AVENUE. REQUEST FOR AUTHORIZATION TO OPERATE A DAY CARE CENTER PRIMARILY FOR CHILDREN OF PRE-SCHOOL AGE; IN AN R-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has approximately 30 feet of frontage on Silver Avenue and 88.4 feet of frontage on Girard Avenue for a total area of 2,676 square feet. The property contains a recently constructed but vacant two family residence having two off-street parking spaces and a rear yard with an area of approximately 1,140 square feet. The applicant proposed to use the ground floor of the existing building as a day care and after school care facility for children age of 4 and up

to serve a maximum of 11 children at any given time. The subject building would serve as a temporary location for the day care center until another facility can be found which could accommodate a larger number of children; and, as a result, the applicant intended to make as few alterations in the building as possible. The proposed facility would operate during daylight hours and would have a staff of two persons. Mr. Steele stated that a Negative Declaration had been issued for the proposal on November 15, 1974, and had not been appealed.

Wendell P. Clark, Jr., the applicant, felt that the proposal had been adequately summarized by Mr. Steele.

Frances Tonna, 50 Girard Street, stated that there is already a scarcity of parking spaces in the subject neighborhood; and she feared that the traffic which would be generated by the proposed use would further complicate the situation.

Albert Bartolotti, 39 Girard Avenue, emphasized that the subject property is zoned R-2; and he did not feel that it should be used for a commercial purpose. He also remarked that "all kinds of characters" sleep in the vacant lot next door; and he questioned whether such an environment would be suitable for pre-school aged children. He also remarked that there are no children in the immediate neighborhood at the present time; and, as a result, he felt that it was clear that children would be driven to the facility from other areas, thus complicating traffic and parking problems in the neighborhood.

Mr. Steele felt that the proposed child care facility is needed, especially to serve the children of parents who work during the day. The subject location is easily accessible, is near a focal point of the residential community, is adjacent to the community business district, and is near sources of employment. The outdoor play space available on the lot would meet the City Planning Code requirement for eleven children. He therefore recommended that the application be approved subject to five specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. In summarizing the conditions, he emphasized that Condition No. 5 would provide that the authorization for the use would terminate two years after the effective date of the resolution, thus allowing the building to revert to its more appropriate use as a two-family residence. President Newman asked if the conditions which had been recommended by Mr. Steele would be acceptable to the applicant. Mr. Clark replied in the affirmative.

Commissioner Porter asked the applicant if the proposed facility would serve children from the subject neighborhood or from other neighborhoods. Mr. Clark replied that the facility would be open to the general public. In reply to further questions raised by other members of

To secure a better understanding of the conditions of the country, the National Board of Health has organized a series of expeditions, which will be conducted during the year 1910. The first expedition will be to the North, and will be conducted by Dr. J. H. Henshaw, of the University of Michigan. The second expedition will be to the South, and will be conducted by Dr. J. H. Henshaw, of the University of Michigan. The third expedition will be to the West, and will be conducted by Dr. J. H. Henshaw, of the University of Michigan. The fourth expedition will be to the East, and will be conducted by Dr. J. H. Henshaw, of the University of Michigan.

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the Commission, Mr. Clark stated that the parents of only four children had indicated their interest in the proposed facility thus far; but he was convinced that the facility could be filled to its full capacity of eleven children.

Patricia Segall, representing Child Care Switchboard, stated that her organization receives between 45 and 50 calls a day asking for a referral to child care facilities; and she remarked that the subject neighborhood has almost a total lack of such facilities at the present time. Under the circumstances, she believed that her organization could make three or four referrals a day to the proposed facility.

Vicki Strong, a coordinator of the Children's Council of San Francisco, stated that her organization had estimated that there is a need for child care facilities to take care of approximately 903 children in the outer Mission district.

After further discussion it was moved by Commissioner Rueda, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7270 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

CU74.59 - 565 BRYANT STREET, SOUTH LINE, 190 FEET EAST OF FOURTH STREET. REQUEST FOR AUTHORIZATION FOR AN AUTOMOBILE WRECKING OPERATION; IN AN M-2 DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which has a 75 foot frontage on Bryant Street and an area of 6,000 square feet. The property presently exists as an open yard enclosed by a 10 foot high corrugated metal fence with a sliding gate for vehicular access onto Bryant Street. The open yard is presently used for a used automobile sales business. The applicants proposal was to use the property without significant changes as an automobile dismantling business which would involve the towing of an average of approximately 2 cars per day onto the lot. The operator and his one employee would dismantle the cars, sell the parts to individuals and dealers, and then haul the automobile bodies, two at a time, on a flat bed truck to a scrap metal dealer. No crusher would be operated on the site; and little noise would be generated by the operation. Except when the gate is open, the operation would not be visible from the street or from surrounding businesses. Mr. Steele stated that a negative declaration had been issued for the proposed use on November 15, 1974, and had not been appealed.

Howard Berman, Attorney for the applicant, stated that he under-

stood that members of the staff assigned to this case had expressed concern about the size of the lot and had questioned whether the applicant would be able to contain his operations on the site. In response, he advised the Commission that his client had been involved in the automobile dismantling business for twenty or thirty years; and he felt that he had demonstrated his ability to run a clean operation. He stated that the subject lot has sufficient room for 15 automobiles; and he indicated that his client had no intention of expanding his operation into the street area. Furthermore, his client would be willing to accept an authorization for a limited period of time so that he would have an opportunity to demonstrate that the proposed business could be operated without any problems. In conclusion, he noted that the subject property is located only one block away from the proposed Yerba Buena Center; and, after that project is completed, he expected that automobile dismantling would no longer be a good economic use for the subject property. However, he felt that automobile dismantling would be a good interim use for the property.

President Newman stated that members of the Commission had taken a field trip to the subject property; and he indicated that it appeared that dismantling activities were already taking place on the site.

James Kalal, the applicant, stated that he has repaired used cars for re-sale on the site; however, he insisted that he had not engaged in any dismantling activities on the property.

Patricia Pembroke, owner of property in the neighborhood, felt that the presence of an automobile wrecking establishment would not enhance the area; and, in view of the proximity of the subject property to the Yerba Buena Center, she felt that there should be a better use for the site.

The Secretary called attention to a letter which had been received from Henry Fourcade, owner of the subject property, in support of the application. He also called attention to letters which had been received from G.C. Bowers and B.B. McCurdy, co-owners of property located at 554 Bryant Street and from R.L. Brindley, President of a firm located at 236 Ritch Street, in opposition to the application. The Secretary stated that a telephone call had also been received from Peter Mendelsohn of TOOR in opposition to the application.

Mr. Steele recommended that the application be disapproved. He stated that the site is located along a street frontage consisting predominantly of enclosed manufacturing and warehousing uses which are of such a character that conditions could not be established which would make the proposed use compatible with the neighborhood or eliminate the injurious effect on property, employments or potential development in

the vicinity. He remarked that the proposed automobile dismantling operation would be located one block south of the Yerba Buena Center, a project requiring considerable public and private investments; and he felt that the proposed operation would be detrimental to the goals of that project which are to encourage private development in the South of Market area. Finally, he stated that the proposed automobile dismantling yard would not comply with the intent of the guidelines which had been established by the City Planning Commission relative to the location of automobile dismantling yards.

Commissioner Porter asked if automobile wrecking yards had once been allowed as permitted uses in M-2 Districts. Mr. Steele replied in the affirmative but indicated that automobile wrecking yards are no longer treated as a permitted use in any district in the city. They may, however, be permitted in M-1 and M-2 districts, but only as Conditional Uses.

Mr. Berman stated that his client was anxious to demonstrate that the proposed operation could be a satisfactory interim use of the site; and, in that regard, he requested that the Commission give consideration to approving the application for a limited period of time, possibly for one year, for demonstration purposes. Although individuals in opposition to the application had pointed out that the property is located only one block away from Yerba Buena Center, he felt that the Commission should be cognizant of the fact that his client had been dislocated from his previous site because of the activities of the Redevelopment Agency.

Commissioner Porter, noting that a number of automobile dismantlers had been dislocated from Butcher Town, asked if the new industrial park contemplated for that area is moving ahead. Mr. Steele replied in the affirmative, indicating that the land is presently being prepared for industrial development.

Commissioner Rueda asked the Commission, if it wished to approve the application, could establish a condition requiring that the high fence be retained and that the gate on Bryant Street be kept closed. Mr. Steele replied in the affirmative; however, he imagined that the applicant would still find it necessary to use the street area for loading and unloading purposes. Furthermore, even though the proposed dismantling yard might be small enough in size that it would not create any major traffic problems, it would still serve as a precedent for approval of other applications for automobile wrecking yards in the neighborhood in the future.

Mr. Kalal stated that he would be willing to guarantee that his proposed operation would not overlap into the street area.

Commissioner Fleishhacker asked Mr. Steele if he would comment upon Mr. Berman's request for a temporary authorization for demonstration purposes. Mr. Steele replied that the Commission could grant the authorization for any period of time it wished; however, he continued to be of the opinion that the application should be denied on the basis that the proposed operation would be an inappropriate use of the property.

After further discussion it was moved by Commissioner Rueda and seconded by Commissioner Fleishhacker that the subject application be disapproved.

Commissioner Porter, noting that Mr. Murphy had advised the Commission earlier in the meeting that the Board of Supervisors had requested the Department of City Planning to work with other public agencies and private organizations in an attempt to find suitable locations for automobile wrecking operations, asked if Mr. Steele felt that such recommendations could be prepared. Mr. Steele replied that general areas had already been discussed with automobile wreckers; however, definite boundaries had not yet been drawn.

Commissioner Ritchie stated that it was his recollection that the Commission had indicated that automobile wrecking operations would be suitable in the area east of Third Street, north of Oakdale Avenue, south of Evans Street and east of the main line of the Southern Pacific Railway; and he felt that automobile dismantlers looking for a new location should be directed to that area instead of getting into an unfortunate situation such as that faced by the present applicant who had been forced to play "hop scotch" with the Redevelopment Agency.

When the question was called, the Commission voted unanimously to adopt Resolution No. 7271 and to disapprove the subject application.

CU74.60 - 1520 O'FARRELL STREET, APARTMENT NO. 1, NORTH LINE, APPROXIMATELY 80 FEET EAST OF HOLLIS STREET. REQUEST FOR AUTHORIZATION TO OPERATE A CHILD CARE CENTER FOR TEN PRE-SCHOOL AGE CHILDREN; IN AN R-3 DISTRICT.

R. Spencer Steele, Assistant Director - Implementation (Zoning Administrator), referred to land use and zoning maps to describe the subject property which consists of one 3-bedroom two-bath apartment, plus outdoor play space which would be shared with tenants of other apartments in the 299 unit apartment complex. The apartment has a gross area of approximately 1,050 square feet; and, although the outdoor play space is not clearly defined, it is several times larger than the 1,000 square feet minimum which would be required by the City Planning Code for 10 children.

John Herbert, member of the Board and Treasurer of the St. Francis Square Apartments Incorporated, submitted and summarized the following letter:

"Saint Francis Square is here today to ask for your approval of a conditional usepermitting the operation of a Large Family Day Care Home in one of our apartments. This Home would care for 10 children.

"It is our understanding that no care permit would be necessary if the Home served only 6 children. So in essence we are asking for a permit allowing 4 additional children.

"Saint Francis Square is a neighborhood of 297 families located on 7½ acres (3 square blocks) in the western addition. It is organized as a cooperative and is run by its residents through a Board of Directors.

"The Board of Directors consists of Five residents elected annually.

"On September 3rd, 1974 the Board, at a regular meeting to which all residents were asked to come, was asked by the Cross Cultural Family Center to lease one apartment for a Day Care Home. A copy of the minutes of that meeting is attached.

"Following discussion, the proposal was put over to next regular meeting in order that copies of the written proposal be distributed to all residents. This procedure is the normal one and is designed to inform residents of proposals before they all acted upon so that they can come to the next meeting and express their opinions.

"At the next regular meeting on September 17th, 1974 approximately 24 residents attended. The matter was discussed. Three or four residents expressed opposition to the proposal while 9-10 expressed approval.

"Approval was given subject to certain conditions, one of them being compliance with all government codes and regulations.

"The Square houses persons of low to moderate income. Many residents either presently need day care home facilities or have in the past. The apartment leased is on the ground floor and is particularly well suited to a day care home because:

- "1) It has a large patio play area.
- "2) Has a separate access gate.
- "3) This gate opens on to a play area which was designed for small children.
- "4) This common playarea can accommodate easily more than 25 Children and would in no way be burdened by an additional 4 children.

"We know you are all very busy people but invite you to visit our community. We believe it is uniquely well suited to a Day Care Home."

Subsequently, Mr. Herbert remarked that conditional use authorization would not have been necessary if only six children rather than ten were to be cared for in the apartment. He also advised the Commission that the children would be outside of the apartment for a maximum of two hours on most days.

Jim Wood, a resident of St. Francis Square, stated that he had no complaints regarding Cross-Cultural Family Centers; however, the fact remained that a number of people residing in St. Francis Square were opposed to having the subject apartment used for a day care center. In fact, some of the people who were opposed to the proposal occupy apartments which share a common wall

with the subject unit. He advised the Commission that a YMCA facility exists within 300 feet of St. Francis Square; and he indicated that that facility has been under-utilized. The YMCA has discontinued some of its teen-age programs; and it had offered space to the applicants for \$200, the same amount of money which they would pay for the subject apartment. In addition, forty children could be accommodated in that building while only ten could be accommodated in the subject apartment under standards established by the Fire Marshall. He emphasized that the subject apartment was intended for moderate income family housing; and, since there is a shortage of such housing in the city, he felt that the apartment should be used for its intended purpose and that the day care center should be located on property appropriately zoned for that purpose. While he acknowledged that all of the people living in the building in which the subject unit is located had acquiesced to the use, other resident of St. Francis Square were concerned about the commercial aspect of the proposed venture, particularly in view of the fact that St. Francis Square Apartments Incorporated is forbidden by State law from entering into a commercial venture.

President Newman noted that Mr. Herbert had submitted a copy of the minutes of a meeting held by the Board of Directors of St. Francis Apartments Incorporated on September 17, 1974; and he indicated that those minutes stated that the Board had agreed in principle with the Cross Cultural Family Center's Proposal. He asked Mr. Wood if he could explain why the Board had tendered that endorsement. Mr. Wood replied that it was possible that members of the Board have children enrolled in programs conducted by the Cross Cultural Family Centers.

Dr. Lane, representing Cross Cultural Family Centers, advised the Commission that her organization had already made arrangements to use the facilities at the YMCA for pre-school programs; and, as a result, those facilities will not be available for the day care center.

Mr. Steele stated that there are a large number of low-and moderate-income families in the Western Addition area; and, as a result, there is a need for child care facilities in the area. The proposed facility would be operated by a non-profit corporation which presently operates child care programs which have been endorsed and funded by the State; and he indicated that the Board of Directors of the St. Francis Square Apartments Incorporated had joined in filing the subject application. He stated that the amount of outdoor play space within the housing complex would be more than sufficient to meet code requirements for the proposed use. He noted that the subject dwelling unit would remain in use as a residence; and the applicants had indicated that no significant alterations would be made in the space. As a result, he recommended that the application be approved subject to four specific conditions which were contained in a draft resolution which had been prepared for consideration by the Commission. The conditions were as follows:

- "1. The total number of children in attendance at this facility shall not exceed 10.
- "2. No alterations requiring a City permit shall be made to the subject apartment without prior approval of the City Planning Department.
- "3. This authorization is for the applicant, Cross-Cultural Family Centers, Inc. It shall not be transferable and shall become void upon termination or expiration without renewal of the lease arrangement between Saint Francis Square Cooperative Apartments, Inc., and Cross-Cultural Family Centers, Inc.
- "4. The subject apartment shall remain in use as a residential unit."

Commissioner Porter asked Mr. Steele if he felt that a time limit should be established for the authorization. Mr. Steele replied in the negative. He stated that the Cross-Cultural Family Centers presently hold a three year revocable lease on the apartment; and he indicated that the lease could be terminated if the use proves to be a nuisance.

President Newman stated that the Commission had received letters from Sylvia Shangraw, 5517 Diamond Heights Boulevard, and from Charles Hansen, 1520 O'Farrell Street, Apt. No. 2, in support of the subject applicant if the conditions which had been recommended by Mr. Steele would be acceptable. Mr. Herbert replied in the affirmative.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the draft resolution be adopted as City Planning Resolution No. 7272 and that the application be approved subject to the conditions which had been recommended by Mr. Steele.

LM74.12 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE SAN FRANCISCO WAR MEMORIAL, BOUNDED BY VAN NESS AVENUE, McALLISTER STREET, GROVE STREET AND FRANKLIN STREET, AS A LANDMARK.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), summarized the architectural and historic characteristics of the War Memorial complex which had led the Landmarks Preservation Advisory Board to recommend that it be designated as a Landmark. Members of the Board of Directors of the War Memorial had been concerned that the proposed designation might interfere with their trusteeship as established by the Charter and Administrative Code. However, Charter Section 3.610 clearly specifies that the "Board of Trustees of the San Francisco war memorial shall, under ordinance, have charge of the construction, administration and operation of said war memorial and of the grounds set aside therefore";

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and he believed that that section of the Charter would take precedence over the Landmarks legislation which is merely an ordinance. Under the circumstances, he believed that designation of the complex as a Landmark would, in effect, amount to nothing more than a recognition of the value of the structures to San Francisco.

Commissioner Fleishhacker remarked that the War Memorial Trustees must have to operate in conformity with Health Code, the Building Code, and other codes established by ordinance; and, therefore, he felt that it was possible that the trustees might be subject to the provisions of the City Planning Code, also, as they pertain to the status of buildings designated as Landmarks.

Commissioner Porter stated that it was obvious to her that the War Memorial complex is a landmark; however, in taking action on the proposal to give it official status as a Landmark, she felt that the Commission should include language in its resolution which would recognize the jurisdiction of the War Memorial Trustees over the complex, thus avoiding legal problems or questions in the future. She felt that no group would be more dedicated to preserving the buildings than the War Memorial Trustees; and she could understand their concern about the possibility of transferring jurisdiction over their buildings to a body which is concerned with many other buildings as well.

Mr. Steele recommended that the complex be designated as a Landmark subject to the two following provisos:

1. That the City Planning Commission recommend that the Board of Supervisors not authorize review of alterations to major interior public spaces;
2. That the City Planning Commission acknowledge the jurisdiction of the War Memorial Trustees as set forth in the City Charter and the Administrative Code.

Mrs. Bland Platt, President of the Landmarks Preservation Advisory Board, stated that her Board had recommended that the Board of Supervisors authorize review of alterations to major interior public spaces in the complex. It was the first time that such a recommendation had been made although the board had previously been under the impression that authorization had been given for review of major interior public spaces in City Hall.

No one was present to speak in opposition to the proposed designation.

After further discussion it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution which had been recommended by Mr. Steele be adopted as City Planning Commission Resolution No. 7273 and that the San Francisco War Memorial Complex be designated as a Landmark.

LM74.14 - CONSIDERATION OF A PROPOSAL TO DESIGNATE THE V.C. MORRIS BUILDING, 140 MAIDEN LANE, AS A LANDMARK.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), described the architectural and aesthetic aspects of the subject building upon which the Landmarks Preservation Advisory Board had based its recommendation that the building be designated as a Landmark. He also explained that the west wall of the V.C. Morris Building is a common wall which is actually located on the adjacent lot which is occupied by 251 Post Street.

Anton Marguleas, owner of the subject property and of the adjacent parcel of property at 251 Post Street, distributed photographs of the lobby of the building at 251 Post Street and emphasized that the east wall of that building serves as the west wall of the V.C. Morris Building. He indicated that the Landmarks Preservation Advisory Board had initiated discussion of the V.C. Morris Building four years ago but had not taken any action to designate it as a Landmark because of a lack of a quorum. He had objected to the proposed designation although he had expressed his willingness to cooperate with the Landmarks Preservation Advisory Board in maintaining and preserving the integrity of the building. In fact, he had later invited Mrs. Platt, President of the Landmarks Preservation Board, to comment on changes which she was making in the interior of the building. He felt that designation of the building as a Landmark would have the effect of "impounding" his property; and he did not believe that the City should take such action merely to preserve a renovated building which was designed in 1948. He remarked that the building had been described as a "rehearsal" for Frank Lloyd Wright's Guggenheim Museum in New York City; and he noted that many critics had judged that building to be the worst museum in the country. He remarked that the Landmarks Preservation Advisory Board had seemed to be most concerned about preserving the facade of the V.C. Morris Building. He stated that he had owned the building for thirteen years. During that time, he had taken very good care of the building; and he indicated that he intended to continue his past practice. In fact, in order to protect the integrity of the facade of the building, he had refused to install a plaque which had been awarded by the American Institute of Architects and had placed the plaque inside the building instead. Maintenance of the interior of the building, however, is becoming increasingly more expensive. For instance, the ailing of the interior space has 25 large plastic bubbles which would cost \$1,000.00 each to replace today. With regard to the issue of the common wall, he remarked that designation of the V.C. Morris building as a Landmark would also have the effect of "impounding" the building at 251 Post Street since the eastern wall of that building could not be demolished if the V.C. Morris Building were to be preserved; and he felt that it would be wrong to force him to preserve a building which is not a Landmark.

Mrs. Bland Platt, President of the Landmarks Preservation Advisory Board, stated that she had a great deal of admiration for Mr. Marguleas; and she confirmed that some of the fixtures which had been removed from the

interior of the building had been properly catalogued and stored. However, she felt that the City has a responsibility to its residents and visitors to designate the building as Landmark because there is no doubt that it is one. With regard to the issue of the common wall, which had been a recurring point of discussion, she advised the Commission that she had talked with several experts who were of the opinion that a new wall could, in fact, be built for the V.C. Morris Building if the other building were to be demolished. While the cost of such a wall might be prohibitive if it were to be borne solely by the owner of the building, she was confident that the importance of the building would generate community concern and assistance.

Mr. Steele recommended the adoption of a draft resolution which he had prepared to approve the proposal to designate the V.C. Morris Building as a Landmark. He pointed out that the draft resolution would also result in the designation of the common wall on the west side of the building which is actually part of an adjacent lot.

Commissioner Fleishhacker stated that he did not feel that the common wall should be included in the designation.

Commissioner Ritchie indicated that he agreed with Commissioner Fleishhacker and emphasized that the wall actually belongs to the building located at 251 Post Street.

Commissioner Porter also objected to inclusion of the common wall in the designation since the building located at 251 Post Street is obviously not a Landmark. While she acknowledged that the V.C. Morris Building is regarded as a Landmark, she wondered if the building would have been recommended for designation as a Landmark if it had not been designed by Frank Lloyd Wright. Mr. Steele replied that the building is important because of its architect.

President Newman asked Mr. Marguleas if exemption of the common wall from the designation would alter his objections. Mr. Marguleas replied that he felt that the common wall should be deleted from the designation. Even so, he continued to object to the proposal to designate the V.C. Morris Building as a Landmark. He explained that the two adjacent properties have a combined area of approximately 9500 square feet; and a lot of that size would sell at a higher price per square foot than a lot of 5500 square feet which is the size of the property occupied by the building at 251 Post Street. Under the circumstances, he felt that it would be preferable if the City would postpone designation of the V.C. Morris Building as a Landmark until such time as he has sold the property.

Commissioner Fleishhacker observed that the V.C. Morris Building could be demolished at any time if the Commission were to follow that course of action.

December 5, 1974

Mr. Marguleas then asked for an explanation of the effect of landmarks designation. Mr. Steele replied that the official designation of a building as a Landmark actually has little more effect than to recognize that the building is one which is extremely important. If a building is designated as a Landmark, any exterior alterations which require a building permit must receive a Certificate of Appropriateness from the City Planning Commission; and, in cases where the demolition of a designated Landmark is being proposed, the issuance of the demolition permit can be delayed for up to six months by the City Planning Commission and for an additional six months by the Board of Supervisors.

Commissioner Porter emphasized that designation of the V. C. Morris Building as a Landmark would not give the Landmarks Preservation Advisory Board or the City Planning Commission any jurisdiction over any alterations which might be proposed for the interior of the building.

After further discussion it was moved by Commissioner Ritchie, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution be amended to delete the reference to the common wall and the property which it occupies and to adopt the amended draft resolution as City Planning Commission Resolution No. 7274, approving the proposal to designate the V. C. Morris Building as a Landmark.

EXECUTIVE SESSION

The Commission discussed the selection of a new Director of Planning.

The meeting was adjourned at 5:25 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary

—SAN FRANCISCO
CITY PLANNING COMMISSION

Minutes of the Regular Meeting held Thursday, December 12, 1974.

The City Planning Commission met pursuant to notice on Thursday, December 12, 1974, at 2:15 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice-President; James J. Finn, Mortimer Fleishhacker, Thomas J. Mellon, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: None.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; George A. Williams, Assistant Director-Plans and Programs; Robert Passmore, Planner V (Zoning); Lucian Blazej, City Planning Coordinator; Marie Zeller, Planner III-Administrative; Linda Ferbert, Planner II; Gary Craft, Planner II; Mark Winogrand, Planner II; and Lynn E. Pio, Secretary.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, informed the Commission that the Planning, Housing, and Development Committee of the Board of Supervisors, meeting next Tuesday, will discuss a communication from the Sierra Club requesting that the City Planning Code be amended to regulate the granting of Conditional Use Permits to major medical and educational institutions.

In response to a question which had been raised by Commissioner Porter earlier in the week on the telephone, Robert Passmore, Planner V (Zoning), stated that the staff of the Department of City Planning had reviewed plans for the proposed Pacific Trade Center to be constructed on Van Ness Avenue under the auspices of the Redevelopment Agency and had found the plans to be in substantial conformity with the City Planning Code. As a result, it appeared that it would not be necessary to bring the plans before the Commission for action. However, it was possible that the project would require consideration of a parking variance by the Zoning Administrator.

George A. Williams, Assistant Director-Plans and Programs, reported on the current status of the controversy between the Performing Arts Center and the Public Library over use of Marshall Square. He indicated that the staff of the Department of City Planning had offered suggestions to the Library about the possibility of providing sub-surface stack space south of the existing main

Library building; however, the Library Commission continued to contend that the only acceptable solution to their space problems will require the construction of a new building on Marshall Square. As a result, the Board of Supervisors had begun to investigate alternate sites for the new Performing Arts Center and had expressed optimism about the possibility of a negotiated settlement with the Board of Education regarding title to the old Commerce High School Parking Lot. If those negotiations were successful, the Performing Arts Center could be constructed on that property and Marshall Square could be reserved for the Public Library.

Commissioner Ritchie reminded members of the Commission that he had previously suggested that action on the Performing Arts Center Master Plan Referral should be postponed until the availability of the Commerce High School Parking Lot had been investigated; but he had been told that the process would be too time consuming. He continued to feel that the Commerce High School Parking Lot would be an excellent site for the Performing Arts Center; and he wanted the public and the Board of Supervisors to be aware that mention had been made of that site when the matter was before the Commission for review.

President Newman asked if the staff of the Department of City Planning had any opinion as to which of the alternate sites would be preferable for the Performing Arts Center. Mr. Williams replied that the staff had not made a comparative analysis of the two sites. However, it would seem logical to construct a new library facility adjacent to the existing library building and a new Performing Arts Center adjacent to the Opera House even though a great deal of traffic congestion would be generated when both the Performing Arts Center and the Opera House are in use.

Commissioner Porter reported that a meeting of the Commission's Budget and Personnel Committee had been held earlier in the afternoon. A decision had been made to reduce the budget request for electronic data processing services from \$15,280 to \$10,280 and to reduce the budget request for consultant services from \$25,000 to \$15,000. However, she recommended that a decision regarding the three new employment being requested be made by the full Commission at its meeting on December 19.

Commissioner Ritchie stated that he was of the opinion that no new employments should be requested and that the staff should be urged to economize in other areas as well. He felt that the proposed budget should be kept at the same level as the departments present budget or, preferably, that it should be reduced.

Commissioner Rueda stated that he felt that the budget should be approached from the perspective of the proposed work program rather than as a plain dollars and cents issue.

2:30 P.M.

PRESENTATION OF THE MISSION HOUSING DEVELOPMENT CORPORATION'S PLAN FOR THE INNER-MISSION.

John W. Bourne, Director of the Mission Housing Development Corporation and Edward Burger, Consultant to the Mission Housing Development Corporation, presented and summarized the plan, responded to questions raised by members of the Commission, and requested that the Commission take action to incorporate it into the Master Plan.

Toby Levine, President of the Mission Planning Council, advised the Commission that approximately 200 people had been involved in preparation of the plan; and she indicated that they had worked closely with the staff of the Department of City Planning so that their plan would harmonize with policies contained in existing Master Plan elements. She, also, urged that the Inner-Mission plan be incorporated into the City's Master Plan.

Juan Pizarre, presently employed in the Mayor's Office of Community Development, stated that he had worked on the economic development section of the Inner-Mission Plan and he felt that the plan was unique in addressing itself to economic development issues.

Commissioner Ritchie stated that he had recently walked along 24th Street in the Mission District; and he felt that merchants in that area should be encouraged to provide better maintenance for their buildings and sidewalk areas.

Commissioner Fleishhacker, noting that the Mission Housing Development Corporation had asked the Commission to endorse all aspects of the plan or only those aspects over which the Commission has some jurisdiction. He also remarked that Chapter 9 of the plan called for assignment of a full-time liaison person to the Mission District. It appeared to him that the corporation wished the liaison person to be an advocate of its won policies; and, if so, the proposal would conflict with the official policy of the department which is that liaison personnel are agents of the Department of City Planning and not the agents of community groups.

Mr. Bourne stated that the Mission Housing Development Corporation would probably be satisfied with any action which the Commission was willing to take; however, in spite of whatever action might be taken by the Commission, the corporation would continue its efforts to implement the plan.

President Newman requested the staff to review the plan and to report back with its recommendations at an early date.

At 4:00 p.m. President Newman announced that the meeting was recessed. Members of the Commission then proceeded to the Commission meeting room at 100 Larkin Street and reconvened at 4:15 p.m. Commissioners Mellon and Ritchie were absented for the remainder of the meeting.

4:15 P.M. - 100 Larkin Street

STATUS REPORT ON COMPREHENSIVE CITY-WIDE RESIDENTIAL ZONING STUDY.

Robert Passmore, Planner V (Zoning), Marie Zeller, Planner III-Administrator, Gary Craft Planner II, and Mark Winogrand, Planner II, reported on progress made to date on the study and responded to questions raised by members of the Commission.

Commissioner Finn, noting that the presentation had included a slide show which had already been shown to neighborhood groups and community organizations, recommended that a policy be established that any presentation prepared by the staff in the future be presented to the full Commission before being presented to other community groups.

Commissioner Porter agreed and indicated that she has been disturbed by telephone calls from members of the community regarding presentations or reports prepared by the staff which the Commission has not seen.

Commissioner Fleishhacker suggested that it might be desirable to present the slide show to the Board of Supervisors. Mr. Passmore replied that a number of Supervisors had already seen the presentation.

Commissioner Fleishhacker stated that the staff had kept the Implementation Committee of the Commission advised of the presentations being made in the community with regard to the Comprehensive City-Wide Residential Zoning Study; however, because of the concerns expressed by other members of the Commission, he felt that future progress reports on the study should be made

to the full Commission and not just to the Committee. He then remarked that the Commission had taken the position that it did not wish to consider amendments to the City Planning Code prior to completion of the Comprehensive City-Wide Residential Zoning Study; however, he felt that the Commission should consider a Code Amendment which would specify that churches and schools could be approved in an R-1 districts only through conditional use procedures. He noted that churches and schools are presently treated as a permitted use in R-1 districts; and the only control which the Commission exercises over such facilities is through its discretionary review authority.

Mr. Passmore stated that he felt that such a code amendment would probably require a great deal of staff time and would have the effect of delaying completion of the Comprehensive City-Wide Residential Zoning Study; however, he indicated that the staff would review the matter and report back to the Commission at an early date.

Commissioner Finn stated that he would be interested in knowing how other communities in the Bay Area deal with the issue of churches and schools in residential districts.

Commissioner Fleishhacker stated that the Residential Zoning Study should produce recommendations for changing the language of the section of the code which defines the Commission's responsibility in approving conditional use applications since the existing language is difficult to interpret. In addition, he indicated that the City's pattern of 25 foot wide lots does not encourage planned unit developments, cluster housing, or contemporary housing styles; and he asked if the Residential Zoning Study would address itself to those issues.

Mr. Passmore replied that the staff would be looking into new types of housing which might be appropriate for San Francisco during the course of the Residential Zoning Study.

Commissioner Porter suggested that the staff should also formulate recommendations for amending the section of the City Planning Code which specifies the number of off-street parking spaces which churches must provide.

At the conclusion of the discussion, the Commission requested that the staff present its status reports on the Residential Zoning Study to the full Commission prior to giving reports or presentations to neighborhood groups. In any case, status reports are to be made at least once every three months.

Mr. Passmore stated the next progress report would be made in February when the staff will be prepared to present a preliminary set of policies to the Commission.

EXECUTIVE SESSION

The Commission discussed the selection of a new Director of Planning.

The meeting was adjourned at 5:35 p.m.

Respectfully submitted

Lynn E. Pio
Secretary

174

SAN FRANCISCO
CITY PLANNING COMMISSION

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Minutes of the Regular Meeting held Thursday, December 19, 1974.

The City Planning Commission met pursuant to notice on Thursday, December 19, 1974, at 2:00 p.m. in Room 282, City Hall.

PRESENT: Walter S. Newman, President; Mrs. Charles B. Porter, Vice President; Mortimer Fleishhacker, Thomas G. Miller, John Ritchie, and Hector E. Rueda, members of the City Planning Commission.

ABSENT: John D. Crowley, member of the City Planning Commission.

The staff of the Department of City Planning was represented by Edward I. Murphy, Acting Director of Planning; George A. Williams, Assistant Director-Plans and Programs; R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator); Robert Passmore, Planner V (Zoning); Selina Bendix, Environmental Review Officer; Wayne Rieke, Planner IV (Zoning); Janis Birkeland, Planner III-Urban Design; Alan Billingsley, Planner II; Ralph Gigliello, Planner II; Douglas Holmen, Planner II; and Lynn E. Pio, Secretary.

Maitland Zane represented the San Francisco Chronicle; Dan Borsuk represented the San Francisco Progress; and Judy Pope represented the San Francisco Study Center.

APPROVAL OF MINUTES

It was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the minutes of the meetings of October 24 and November 7, 1974, be approved as submitted.

At this point in the proceedings, Commissioner Ritchie arrived in the meeting room and assumed his seat at the Commission table.

CURRENT MATTERS

Edward I. Murphy, Acting Director of Planning, recommended that the Commission's next Regular Meeting, scheduled for December 26, be cancelled. It was moved by Commissioner Ritchie, seconded by Commissioner Porter, and carried unanimously that the meeting be cancelled.

Mr. Murphy advised the Commission that a special meeting will be scheduled on Friday morning, January 10, at 9:00 a.m. for the annual Capital Improvement Program Review.

Mr. Murphy informed the Commission that the Board of Supervisors, during its meeting on January 6, will consider appeals from the Commission's disapproval of proposals to designate the Goodman Building and the Atherton House as Landmarks.

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George A. Williams, Assistant Director-Plans and Programs, reported on the Department of City Planning's participation in the preparation of applications for Community Development Funds. He indicated that the staff is assuming major responsibility for the development of a housing assistance plan. In addition, the staff has participated in the preparation of applications for block grant funds to expand the Rehabilitation Assistance Program, for development of a Beautification Program, and for historic preservation.

Commissioner Porter stated that it would be of interest to her to know what applications are being made for Federal block grant funds. President Newman requested that such a report be prepared and distributed to members of the Commission.

CONSIDERATION OF PROPOSED WORK PROGRAM AND BUDGET FOR 1975-76 FISCAL YEAR.

Mr. Murphy reported that new rates for the next fiscal year have been established by the Health Service System; and, as a result, the draft of the Department of City Planning's proposed budget has had to be increased by \$1,176. He then stated that Mr. Macris, the newly appointed Director of Planning, had made a preliminary review of the proposed work program and budget; however, since the budget does not have to be submitted to the Controller until January 20, he recommended that Commission action on these matters be deferred until January 9. After discussion, it was moved by Commissioner Porter, seconded by Commissioner Ritchie, and carried unanimously that consideration of the Proposed Work Program and Budget be postponed until the Commission's meeting on January 9, 1975.

EE74.71 - MARKET STREET, SOUTHEAST CORNER OF NINTH STREET.

CONSIDERATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT ON THE PROPOSED CONSTRUCTION OF A 17-STORY, 240 FEET HIGH OFFICE BUILDING FOR THE STATE COMPENSATION INSURANCE FUND.

Robert Passmore, Planner V (Zoning), described the proposed project and explained that two conditional use applications were involved. The first conditional use application involved authorization for an exception to the Bulk Limits of the City Planning Code. The deviation would occur on the upper portion of the seventh floor between the 100-foot and the 104-foot level. The length dimension would be 180 feet where the City Planning Code would allow 170 feet, and the diagonal dimension would be 220 feet where the Code would allow 200 feet. The second conditional use application involved a proposal for provision of 175 off-street parking spaces whereas the number of off-street parking spaces required for the project by the City Planning Code would range between 80 spaces and 112 spaces.

At this point of the proceedings, Commissioner Mellon arrived in the meeting room and assumed his seat at the Commission table.

Ralph Gigliello, Planner II, summarized the Environmental Impact Report which had been prepared for the project and responded to questions raised by members of the Commission.

Commissioner Porter, noting that the proposed project had been the subject of a wind tunnel test, asked if such tests are always required by the Department of City Planning. Selina Bendix, Environmental Review Officer, replied that the capability for such tests has been available for only a few months. She indicated that a preliminary wind tunnel test is required by the Department in borderline cases; and, on the basis of the raw data provided, she is able to determine whether more sophisticated testing should be required. She stated that architects have generally been pleased with the wind tunnel tests because the tests provide information which is helpful to them in the design of their buildings.

Commissioner Ritchie stated that he had been informed by a builder that the Department of City Planning had required him to spend \$8,000 for a wind tunnel test; and it seemed to him that a requirement for such an expenditure was excessive.

Dr. Bendix assured the Commission that the wind tunnel test for the project presently under consideration had cost only a fraction of the figure cited by Commissioner Ritchie.

Leland Meyerzove, Chairman of Central City's Coalition, noted that the subject property is presently occupied by a parking lot; and, if the proposed building were to be constructed, he wondered where the automobiles presently using the parking lot would park in the future. He felt that it was possible that construction of the building would generate pressures for demolition of residential buildings in the area to provide replacement parking facilities; and, if so, the result would be detrimental to the neighborhood. He also remarked that the intersection of 9th and Market Streets is much windier than it used to be; and he believed that the proposed building would create additional wind problems. He felt that the Environmental Impact Report which had been prepared was superficial; and he urged that it not be certified as complete until a thorough study has been made of the impact of the proposed development on the subject neighborhood.

Peter Christelman, representing San Francisco Tomorrow, summarized the following prepared statement:

"1) VARIANCE OF THE BULK LIMIT

"It seems clear that the intent of the bulk requirements of the Height and Bulk Ordinance is directed toward more significant examples of excessive bulk in building design than the building in question. The four feet of this building which are beyond the limits of the ordinance are not a critical design matter and therefore we have no objection to a variance on the grounds of design considerations.

"However, the setting of a precedent for future variances in bulk (or height) disturbs us very greatly. If this request before you were to occasion a flood of future variance requests that would ultimately enervate the Height and Bulk Ordinance, then we would consider the exception made in this case a grave error.

"Therefore we propose that if the Commission allows this exception for reasons of design, that it state formally that the variance is granted solely in order to improve the building's amenities in design and because of the relatively insignificant effect of the variance.

"Furthermore, the Commission should re-affirm by resolution its commitment to a strict interpretation of the Height and Bulk Ordinance and signify to builders within the resolution that this case in no way should suggest that variances to the ordinance will be encouraged.

"2) VARIANCE OF THE PARKING LIMITS

"We are concerned by the question raised by SCIF's rationale for a parking variance, viz., whether the size of a particular tenant's office motor pool should govern the size of the garage that the City allows. Designing garage capacity around vehicle demand seems to us to be poor planning procedure.

"We furthermore consider the provision of any spaces in excess of stated future requirements of SCIF to be totally without justification. The EIR assigns these spaces to claimants, business visitors, employees, and tenants. There should be no parking at all for these occupants and occasional visitors to the building. If the hope is extended to any of these that there will be even one extra available parking space, then many will crowd into the area by automobile convinced they alone will be the chosen user for that space. If no spaces are available, it is likely that these trips to the building will be made by public transit.

"3) RETAIL SPACE ON THE GROUND FLOOR

"The trend in recent construction along Market Street has been to make the street the branch bank capitol of the world. The Commission should require that the promised retail uses on the ground floor be limited to firms which deal in tangible merchandise. No banks, travel agencies, investment institutions of any sort, or service oriented firms should be allowed. There should be at least two tenants with at least one entrance each along the Market Street side.

"4) EXTERIOR TREATMENT OF THE BUILDING

"Page 16 of the EIR promises the exterior materials will be 'light'. This is not adequate. Almost all recent high rise construction in San Francisco could claim to be adequately light for the San Francisco skyline. Almost none of it is. Exterior treatments in light brown, light gray, and bare or tinted aluminum do not reflect the patterns of past development in the City and serve to accentuate prominent buildings to the detriment of the City's pattern.

"There are now so many large, out of place, relatively dark buildings on the skyline that the Commission should require, wherever it can, that all new prominent construction be white.

"5) PEDESTRIAN PLAZA

"The project promises a sunny plaza but proposes no specifics. The Commission should exercise vigorous control over plaza design to prevent the development of another yawning non-space such as the following inept, useless, and cynical sops offered the city in exchange for additional floor space:

"The Tishman Plaza - A non-functional broad expanse punctuated by a clumsy concrete stairway unrelated to the building's design. No seats anywhere. The Plaza's main event is a branch bank.

"The Metropolitan Life Plaza - Two alleyways at right angles lined with flower beds that impede the flow of traffic while offering nothing to look at. Materials are uncoordinated, the plaza does not relate to the building, and at least, 20% of the plaza is an auto ramp.

"P G and E Plaza - A dull expanse of gray granite unrelieved by color. Occupied mostly by flower beds with high granite walls which announce their unmistakable message that you are not welcome to stop and sit. A waterfall stands far out of sight of the building's main entrance, unrelated to anything.

"6) THE MECHANICAL PENTHOUSE

"Judging from the photos of models of the building which are found in the EIR, the mechanical penthouse is surrounded by a wall which would appear from the street to be quite thick and heavy-handed. A similar problem can be observed with the Tishman and Metropolitan Life buildings. These structures, because of unimaginative treatment of the mechanical penthouses appear even heavier and clumsier than they are. There must be a way of reducing the appearance of mass which could be applied to this building's design.

"7) OFFICES AND HOUSING IN CIVIC CENTER

"It is unfortunate that SCIF is unable, by virtue of its charter, to provide any housing in its proposed building. Since the Civic Center becomes a vast, desolate wasteland every evening after 6 p.m., we hope the Commission will encourage housing in future construction in the area."

Commissioner Ritchie remarked that financing of major projects is often based on the strength of prospective ground floor tenants; and, under the circumstances, he felt that Mr. Christelman's proposal that the City Planning Commission should control the "tenant mix" of the proposed project was quite extreme. He observed that banks and airline ticket offices, which Mr. Christelman had suggested excluding as ground floor uses in the proposed development, are usually extremely attractive uses; and he felt that the Commission should not interfere with the owner's right to select his own tenants.

Commissioner Rueda indicated that he agreed with the comments which had been made by Commissioner Ritchie.

Commissioner Ritchie stated that he agreed with several of the comments which had been offered by Mr. Christelman, particularly the comments relating to plaza design. He advised Mr. Christelman that the Commission has tried to encourage the construction of light-colored buildings. However, the buildings in downtown San Francisco have a variety of colors including buff, silver, light gray, light yellow, white, off-white and pinkish hues; and the "whiteness" of the city is merely an impression which one senses at a distance. While he agreed that light-colored buildings should be encouraged, he did not feel that the Commission should be so strict as to require new buildings to be "white" as suggested by Mr. Christelman.

Stewart Bloom, 1695 North Point Street, indicated that he supported the arguments which had been presented by Mr. Christelman. In addition, he personally felt that the proposed building should have no on-site parking whatsoever since the intersection of 9th and Market Streets is extremely well served by public transportation. If off-street parking were to be provided on the site, he felt that it should be used only for the parking of State-owned vehicles; and, if the number of State-owned vehicles being used is reduced in the future, the number of off-street parking spaces should be reduced, also.

Commissioner Mellon remarked that some of the clients visiting the State Compensation Insurance Fund Building may be disabled and may have no way of getting to the building except in private automobiles.

Mr. Bloom conceded that it might be necessary to set aside a limited number of spaces for the convenience of such clients; however, he felt that a small number of parking spaces would be sufficient for that purpose.

Commissioner Ritchie asked if he were correct in understanding that Mr. Bloom's primary concern was not parking per se but use of private automobiles for transportation to and from downtown San Francisco. Mr. Bloom replied in the affirmative.

Raymond Marks, President of the Central San Francisco Association, indicated his support for the additional off-street parking spaces which the State Compensation Insurance Fund proposed to provide.

At 3:20 p.m. President Newman announced a two minute recess. The Commission reconvened at 3:22 p.m. and proceeded with hearing of the remainder of the agenda.

Mr. Gigliello summarized the comments which had been made by members of the public relative to the Environmental Impact Report for the proposed project.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), recommended that a summary of the comments be incorporated into the Environmental Impact Report and that the report, as amended, be certified as complete.

After further discussion, it was moved by Commissioner Rueda, seconded by Commissioner Mellon, and carried unanimously that Resolution No. 7275 be adopted with the following resolves:

"THEREFORE BE IT RESOLVED, that the City Planning Commission does hereby find that the final Environmental Impact Report, dated December 19, 1974, concerning the home office building for State Compensation Insurance Fund is adequate, accurate and objective, and does hereby certify the completion of said report in compliance with the California Environmental Quality Act and the State Guidelines;

"AND BE IT FURTHER RESOLVED, that the Commission, in certifying the completion of said report, does hereby find that the project as proposed will not have a significant effect on the environment."

A standard tape cassette recording of the proceedings is available in the files of the Department of City Planning for public listening or transcription.

CU74.31 - MARKET STREET, SOUTHEAST CORNER OF NINTH STREET.

REQUEST FOR AUTHORIZATION TO PERMIT THE UPPER FOUR FEET OF THE SEVENTH FLOOR OF THE PROPOSED BUILDING TO HAVE A MAXIMUM DIAGONAL DIMENSION OF 220 FEET; IN A C-3-G DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), noted that Mr. Passmore had described the proposed project in detail at the beginning of the public hearing on the Environmental Impact Report. He then recommended that application CU74.31 be approved subject to five specific conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. After summarizing the conditions, he recommended that the draft resolution be adopted.

President Newman inquired about the exterior color of the proposed buildings.

John S. Lynd, Architect, John Carl Warnacke & Associates, replied that a "pinkish" granite would be used on the exterior of the building. He indicated that his firm had used the same material on other buildings in other cities such as Minneapolis; and he reported that those buildings do not have a dark appearance.

President Newman stated that he had seen the building in Minneapolis to which Mr. Lynd had referred; and, while he had regarded it as a handsome structure, his own inclination would have been to describe it as a "dark" building. He noted that

the Urban Design Plan specifies that buildings should be light in color; and he indicated that he was concerned about the possibility that the proposed building might not conform to that criterion. Therefore, he felt that the staff should review a sample of the material to be used before approving final plans for the building.

Commissioner Ritchie stated that he agreed with Mr. Christelman's comments to the effect that the wall which would surround the mechanical penthouse of the proposed building would have a thick and heavy-handed appearance from the street; and he asked if anything could be done to overcome that problem.

Mr. Steele felt that a solution to the problem could be found before final plans for the project are approved by the staff of the Department of City Planning.

Commissioner Ritchie then stated his concern about condition No. 5 of the draft resolution which specified that "every effort" should be made by the applicant to attract ground floor retail activities which would provide goods and services needed by occupants of the building. He did not feel that the Commission should interfere to such an extent with an owner's right to lease space in his building as he sees fit.

President Newman stated that he was of the opinion that it would be a good idea to foster retail activities along Market Street; and he suggested that the words "diligent efforts" be substituted for the words "every effort" in condition No. 5 of the draft resolution.

Commissioner Fleishhacker expressed concern about the wording of condition No. 4 of the draft resolution which specified that "final plans for the proposed building including material selection to insure appropriate color and texture of wall surfaces, shall be developed in consultation with and approved by the Department of City Planning before a building permit can be issued".

Bernard Friedland, representing the applicant, stated that the San Franciscan Hotel, which occupies the property adjacent to the subject site, was painted a brick red color until approximately six weeks ago. At that time, the staff of the Department of City Planning had felt that it would be unwise to use an extremely light facade color for the proposed building because of the strong contrast which would result. However, the San Franciscan Hotel has now been painted white. Under these circumstances, he felt that the Commission should be able to understand that it is extremely difficult to try to harmonize the color of a new building with the color of another building which is susceptible to change.

Commissioner Fleishhacker suggested that condition No. 4 of the draft resolution should be revised to read as follows:

"Final plans for the proposed building, including material selection to insure that the color and texture of the wall surfaces of the proposed building will harmonize with the color and texture of other buildings in the area, shall be developed in consultation with and approved by the Department of City Planning before a building permit can be issued."

Commissioner Fleishhacker also recommended that the conditions of the draft resolution be amended to specify that the staff of the Department of City Planning, in reviewing final plans for the proposed development, should seek to improve the appearance of the mechanical penthouse and to minimize the effect of the walls surrounding it as depicted on plans which had been submitted to the Commission.

After further discussion it was moved by Commissioner Mellon, seconded by Commissioner Porter, and carried unanimously that the draft resolution, as amended, be adopted as City Planning Commission Resolution No. 7276 and that conditional use application No. CU74.31 be approved subject to the conditions contained in the draft resolution, as modified.

CU74.30 - MARKET STREET, SOUTHEAST CORNER OF NINTH STREET.

REQUEST FOR AUTHORIZATION FOR CONSTRUCTION OF A 175-CAR PARKING GARAGE IN THE PROPOSED BUILDING WHERE APPROXIMATELY 112 OF THE SPACES WOULD BE CONSIDERED ACCESSORY TO THE OFFICE USE; IN A C-3-G DISTRICT.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), noted that this application had been described in detail by Mr. Passmore at the beginning of the public hearing on the Environmental Impact Report for the project. He stated that three alternatives were available to the Commission. The first alternative would be to permit no parking whatsoever on the site. The second alternative would be to authorize only the amount of off-street parking spaces which would be permitted by the City Planning Code, i.e. use of 7% of the gross floor area of the building for parking as an accessory use. The third alternative would be to allow more off-street parking spaces than would ordinarily be permitted by the City Planning Code, as requested by the applicant. Based on the 7% formula, the architects for the applicant had estimated that approximately 111 off-street parking spaces could be provided. While it would be possible to argue that a better development would result if no off-street parking whatsoever were to be permitted on the sensitive site in question, the fact remained that the State Compensation Insurance Fund has a fleet of State-owned cars which must be garaged at night and which cannot be used for commuting purposes. Within ten years, there may be as many as 134 automobiles in the fleet; and the size of the fleet may ultimately grow to 150 automobiles. Under the circumstances, he felt that the applicant's request for authorization for 175 off-street parking spaces should be granted.

President Newman stated that Commissioner Finn, who was absent from the meeting, had telephoned to express his concern about use of private automobiles for transportation to and from the central business district and had indicated that he was personally opposed to any proposal to permit more than 7% of the gross floor area of buildings in the central business district for parking.

Mr. Steele distributed copies of a draft resolution of approval which he had prepared with four specific conditions; and, after summarizing the conditions, he recommended adoption of the draft resolution.

President Newman asked if the applicants felt that 175 off-street parking spaces would be sufficient. Bernard Friedland, representing the applicants, replied that he felt that the projections for the number of State-owned automobiles in the State Compensation Insurance Fund's fleet in the future were conservative. Furthermore, unless off-street parking spaces are available in the building, he felt that it would be difficult to entice tenants to move so far west on Market Street. He also advised the Commission that the San Franciscan Hotel has a severe parking problem at the present time; and he felt that that problem might become insurmountable when the existing parking lot is removed to make way for the construction of the proposed project.

Commissioner Ritchie observed that 175 off-street parking spaces would result in only one off-street parking space for each 2,000 square feet of office space in the building; and he regarded that as a minimal parking ratio.

Commissioner Mellon emphasized that the bond issue which had been passed by the voters of San Francisco for the redesign of Market Street was intended to improve the attractiveness of the street and, in addition, to encourage new private development on the street; and he felt that it was extremely important that businesses such as the State Compensation Insurance Fund should continue to remain in San Francisco.

Commissioner Fleishhacker asked if there were any action which the Commission could take to ameliorate the San Franciscan Hotel's parking problems.

Peter Rochon, Managing Director of PSA Hotels, stated that he hoped to negotiate an agreement with the State Compensation Insurance Fund for use of the 22 surface parking spaces which would remain on the rear of the subject property after the new building has been constructed.

Commissioner Porter noted that condition No. 2 of the draft resolution contained the following language:

"A sign, to be developed in consultation with and approved by the Department of City Planning, shall be posted at the entrance to the parking garage notifying drivers that the garage is not a public garage but is to serve only visitors and tenants of the building."

She suggested the language be removed from the draft resolution.

Subsequently, it was moved by Commissioner Porter, seconded by Commissioner Rueda, and carried unanimously that the draft resolution, as modified, be adopted as City Planning Commission Resolution No. 7277 and that application CU74.30 be approved subject to the conditions contained in the draft resolution, as amended.

DISCRETIONARY REVIEW OF PLANS FOR THE OFFICE BUILDING PROPOSED FOR THE SOUTHEAST CORNER OF MARKET AND NINTH STREETS.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), noted that the proposed project had been described and thoroughly discussed during the public hearings on the Environmental Impact Report and the two conditional use

applications; and he recommended that the building permit application be approved subject to five conditions which were contained in a draft resolution which he had prepared for consideration by the Commission. He noted that the conditions contained in the draft resolution were extracted from the draft resolutions which he had prepared for the two conditional use applications; and, since the Commission had made changes in those conditions, he indicated that he would modify the conditions in the draft resolution for the discretionary review accordingly.

After discussion it was moved by Commissioner Porter, seconded by Commissioner Fleishhacker, and carried unanimously that the draft resolution, with the amended conditions, be adopted as City Planning Commission Resolution No. 7278 and that the plans for the proposed office building be approved subject to the conditions contained in the draft resolution, as modified.

EE74.234 - CONSIDERATION OF AN APPEAL OF A NEGATIVE DECLARATION ISSUED
BY THE DEPARTMENT OF CITY PLANNING FOR DUPLEXES PROPOSED FOR
PROPERTY LOCATED ON THE EAST LINE OF VILLA TERRACE, 82 FEET
NORTH OF GRAYSTONE TERRACE.

Ralph Gigliello, Planner II, described the proposed project and explained the reasons for the issuance of a Negative Declaration by the staff of the Department of City Planning.

Harry Malkason, a director of the Twin Peaks Improvement Association, stated that the applicant had filed plans for the building to be constructed on Lot 14 C but had not filed any plans for the building to be constructed on Lot 14 B; and he felt that both sets of plans should be available before a decision is made by the Commission as to whether an Environmental Impact Report should be required.

Richard Alvarez, the applicant, stated that he had an option to buy the subject property; and, if the Commission's action were to be delayed, he would be forced to forfeit the deposit which he had made against the purchase of the properties.

Mrs. Malkason repeated her husband's request that more detailed plans be made available before action is taken by the Commission.

R. Spencer Steele, Assistant Director-Implementation (Zoning Administrator), stated that it appeared that there had been a misunderstanding. He indicated that identical buildings were being proposed for each of the lots; and, as a result, the single set of plans which had been submitted was sufficient. He advised the Commission that the applicant had originally proposed to construct three stories above grade; but the plans had later been revised to reflect only two stories above grade. He stated that the neighborhood is of mixed character, with single family buildings, duplexes, and apartment houses; and he felt that the two duplexes being proposed would be compatible with the area. Therefore, he recommended that the Commission adopt the draft resolution which he had prepared finding that the proposed project could not have a significant effect on the environment and affirming the Negative Declaration which had been issued by the Department of City Planning.

After further discussion it was moved by Commissioner Fleishhacker, seconded by Commissioner Ritchie, and carried unanimously that the draft resolution be adopted as City Planning Commission Resolution No. 7279.

The meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Lynn E. Pio
Secretary



